

THE INQUISITION

A. Hyatt Verrill

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THE INQUISITION

By A. HYATT VERRILL

THE INQUISITION

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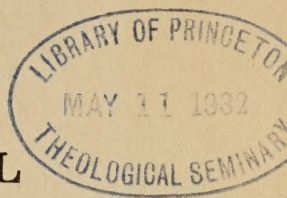
GREAT CONQUERORS OF
SOUTH AND CENTRAL AMERICA



A STANDARD OF THE INQUISITION (EAST INDIES)

THE INQUISITION

BY
A. HYATT VERRILL



ILLUSTRATED

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INTRODUCTION

THERE is probably no chapter in the entire history of Europe that has so impressed the public mind as that dealing with the Inquisition. And it is doubtful if anything has been so misunderstood, so misconstrued and so surrounded with erroneous ideas, misconceptions and exaggerations or has been such a source of religious controversies and prejudices.

In the minds of nearly all, the Inquisition is invariably associated with Spain and the persecution of Protestants by the Catholic Church. Indeed, it would not be going too far to state that the great majority of people believe that the Inquisition was a strictly Spanish institution created by the Catholic Church for the express purpose of torturing and executing the Protestants. But nothing could be further from the truth, and it will no doubt come as a distinct surprise to many, to learn that the so-called Spanish Inquisition was merely the most recent phase of the Inquisition, that it was a comparatively feeble attempt to revive a most ancient institution, and that it was not even aimed at Protestants in particular.

As I shall endeavor to point out, the Inquisition had its origin in the dim and distant past, in the days when Europe was in a state of barbarism if

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not semisavagery, and that it was by no means an exclusively religious institution. But in days and under conditions where the Church practically ruled the so-called civilized world, and when politics, religion, temporal power and all education and knowledge (such as they were) were in the hands of the representatives of the Church, and when primitive Christianity, ignorance, fanaticism, bigotry and superstition were inextricably mixed, such an institution as the Inquisition would of necessity become primarily and largely a weapon of the Church.

And it was inevitable that a weapon of such power as the Inquisition, placed in the hands of human beings who were amenable to no one, should have been abused, prostituted and employed for personal gain. Like many another human institution, the original purpose of the Inquisition was admirable: it was designed to maintain Christianity against infidels and to save the souls of men and women. But like so many other admirable and worthy devices it became transformed into what was perhaps the most atrocious means of crushing life, liberty, freedom of thought and act. It retarded the dissemination of knowledge and truth, the advance of civilization, the progress and prosperity of nations.

This was not due to the Church, but in spite of it. Tonsured heads and priestly robes did not alter a man's nature in the days of the Inquisition any more than at the present time, and in those days religion and religious men were as primitive as were

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the politics, the politicians and the public at large.

Moreover, we must bear in mind that in the Middle Ages—and for long afterwards—the only recognized and established Church was the Catholic Church. In fact the Catholic Church and Christianity were synonymous, and hence when we lay the blame for conditions and excesses upon the Church of those past days we are not in reality referring to the Catholic Church as it is to-day, but to Christianity as a whole. Had the dominating religion of that time been Protestantism, Judaism or any other form of religion or any other church, precisely the same conditions would have resulted, for the Inquisition was as much if not more the result of human and political conditions as of religious bigotry and intolerance.

Though not personally a Catholic, yet I have the deepest respect and regard for the Catholic Church and Catholics, and I wish to make it clear that when, in the following pages, I may appear to blame the Catholic Church or paint the Catholic prelates and priests of the times in their true colors, I am not criticizing nor attacking the Catholic faith, but the abuses that existed and which were as foreign to true Christianity as a whole as to any one form of Christianity.

No broad-minded, sincere Catholic can take offense at the recitation of historical facts, and it would be just as ridiculous and unjustifiable for a nation or a race to take umbrage at telling the truth,

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in regard to atrocities and oppressions committed by its people or its ancestors centuries ago, as for members of a religious sect to feel offended by the truth regarding the early exponents of that faith.

On the contrary, all true Catholics should be proud of the fact that despite the dark pages of the past and the Inquisition, their Church endured and triumphed and purged itself of those who, in the name of and under the cloak of Catholicism, committed such acts. And whether Catholics or Protestants, we should all bear in mind that, had it not been for the unremitting, even if harsh and fanatical zeal of the early Catholic Church and the Inquisition, Christianity would have been stamped out of Europe, civilization and progress would have been retarded by centuries, and the Christian faith, as we know it to-day, might, in fact probably would have completely disappeared.

It is nothing short of appalling to speculate on what might have been the results had the Catholic Church not carried on its campaign, had the Inquisition not been inaugurated and maintained during those long centuries when, on every hand, innumerable fantastic, weird and often most repulsive and horrible forms of religion were springing up and winning converts by tens of thousands. Devil worship, witchcraft, sorcery, Bacchanalian orgies, lust, every form of vice and immorality would have overrun the then civilized world, and Europe would have

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been a teeming hotbed of cults worse than voodooism at its worst.

In every great transitional period in the world's history, human life and liberty have suffered. The march of progress, of dominion, of civilization, of religion, tramples roughshod over the individual. It is ever a case of the greatest good for the greatest number, a case of the end justifying the means. If in that onward march that has brought about our present civilization, our progress and our present tolerant Christianity and faiths, groups or individuals have taken advantage of conditions and of the power vested in them to gain their own ends and have committed excesses and horrors out of malice or through other personal motives, such cases were unavoidable and bound to occur. So if we are to secure a true insight into the Inquisition, free from bias, bigotry, fanaticism or intolerance; if we are to see it as an historical incident and not as a weapon wielded against a religious sect; if we are to learn the real truth in regard to it and are to cast aside the innumerable legends, myths, fictions and exaggerations that have been woven about it both by the ignorant and by enemies of the Catholic Church, we must consider it with open mind, weighing the facts and the conditions that governed them. We must remember that, if we point our fingers accusingly at the Catholic Church we are condemning the Christian Church as a whole, for the Inquisition had its beginning, it reached its zenith, and it de-

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clined long before the Reformation or even the inception of Protestantism.

Also we must remember that the crimes, abuses and excesses of the religious men of those distant days were not confined to the clergy nor to Catholics. Europe had but recently emerged from savagery; morality as we know it was nonexistent and behavior that we would consider most scandalous and even criminal was regarded as exemplary and usual. Robbery and banditry were legitimate professions, when carried out by the feudal lords; human life was cheap, murder was a minor crime, and virtue in a woman was the exception rather than the rule. No doubt, five or six centuries hence, our descendants will look back upon the present era and will hold up their hands in horror at our depravity—as they will have good reason to do—and will find it just as difficult to understand why and how we permitted hold-ups, murders, bootlegging, high-jacking, racketeering and all our other violations of law as we find it hard to understand the attitude of the public and the Church in the Middle Ages.

If we feel amazed that the authorities, secular and ecclesiastical, could not suppress heresy and all the abuses and crimes that thrived in the past without resorting to the Inquisition, how about our own civil and ecclesiastical authorities who, with all the machinery of our present day laws, all our complicated civilization, all our means of rapid transportation and communication and all our boasted enlight-

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enment cannot stamp out or even suppress the crimes and abuses that thrive in our midst?

Neither must we judge of the inhumanities and the cruelties of the days of the Inquisition by our present standards. People who shudder with horror at tales of the tortures and the penalties inflicted by the law of those days—the Inquisition never inflicted a corporal punishment—must remember that to the people of the Middle Ages, and much later, burning at the stake was no worse than death in the electric chair to-day, and that the rack and the wheel were regarded in much the same category as we regard the “third degree.” We are not in a position to point the accusing finger at our ancestors of the days of the Inquisition as long as we permit the police to subject suspects to the third degree, or as long as we permit innocent persons to be imprisoned for months merely because they are unfortunate enough to have been witnesses to some violation of a law. Stretching a man on the wheel to force him to confess to heresy differs only in degree from beating him into insensibility with a rubber hose in order to force him to confess to burglary. And there is even less difference and little distinction between sentencing a prisoner to six months in a dungeon on bread and water in order to induce him to betray his heretical friends, and placing him for twenty-four hours in a “sweat box” in order to coax him into naming his accomplices in a hold-up.

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To-day we are more or less indifferent to religion, for it is merely an incident in our lives, and we care even less what others may believe. But in the days of the Inquisition religion was the most vital and important thing in life. Heaven, Purgatory and Hell were as real and, in the minds of the people, as near at hand as neighboring provinces, and heresy was regarded as the greatest and most heinous of all crimes.

We must bear in mind also that the most trivial violations of the law, in countries and in times when lawlessness was almost universal, were, paradoxically enough, punishable by penalties that fill us with horror.

The wheel, the caldron of boiling oil, burning and burying alive, flaying alive, tearing apart by horses, quartering, impaling were all legally recognized forms of execution. In England an attempt on the life of a person of noble birth was punishable by burning at the stake. A French law of 1231 provides that the wife or concubine of a thief shall be buried alive, although if pregnant a respite was to be given until after childbirth. Frederick II, a particularly enlightened and merciful (?) prince, ordered all captive rebels to be encased in lead and slowly roasted to death. The theft of a loaf of bread or a pot of wine was, in 1261, punishable by lopping a limb from the thief. In Germany, arson and murder were both punished by breaking on the wheel. In France women were buried or burned

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alive for the simplest felonies, Jews were suspended by the feet between two savage dogs to be torn to pieces and devoured, and counterfeiterers were boiled in oil.

The criminal code of Charles V of Italy, drawn up in 1530, included blinding, mutilation, tearing with hot pincers, burning alive and a host of other unpleasant penalties for law breakers. As recently as in 1542, poisoners were boiled to death in England, and treason was punished by hanging, drawing and quartering. In 1726, Catharine Hayes was burned at the stake at Tyburn for petty treason, and in Denmark, in 1683, blasphemers were beheaded after first having their tongues cut out. In Hanover, in 1706, a pastor named Zacharie Flagge was burned alive for counterfeiting. So careless and callous of human suffering were the legislators that in England, which was probably the most advanced and humane country of the period, to cut out a tongue, to pluck out eyes or to otherwise mutilate a man maliciously was not regarded as a felony until the fifteenth century, yet at the same time—during the reign of Queen Elizabeth—to rob a hawk's nest was a felony punishable by death. And finally there was the case of a nine-year-old child being hanged in England in 1833 as punishment for breaking a patched pane of glass and stealing a two-penny loaf of bread!

Considering such facts the wonder is that heretics were not treated far worse, and, in view of the pro-

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visions of secular law at the time, the Inquisition appears as a most lenient and even humane tribunal. Moreover, the inquisitors did *not* impose the penalties inflicted for heresy or for any other crimes of which the accused were found guilty. They merely rendered the verdict and turned the condemned over to the secular authorities who carried out the penalties or the executions by law provided.

To be sure, the Inquisition unquestionably perverted its powers and used its machinery for financial and personal gain, and equally certain, the inquisitors tortured and put to death many innocent persons. But even our own courts are not all above reproach, our own jurists and prosecutors are not all beyond reach of bribery and corruption, and innocent men and women sentenced to imprisonment or even death are not unknown to modern criminal procedure.

Finally, before we censure the Catholic Church and its representatives for the acts of the Inquisition, let us not forget the infamous persecutions of innocent women charged with witchcraft by the Puritans of New England. Do not let us forget that Jeanne d'Arc was burned at the stake by the British. Do not let us forget that the Protestants tortured and killed Catholics with fiendish delight, and do not let us forget that the British buccaneers devised and carried out far more fiendish tortures on the Spaniards than were ever dreamed of by the Spanish Inquisition.

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And let those bigoted, prejudiced and biased persons who bring up the uses and abuses of the Inquisition as charges against Catholics and Catholicism, remember that in so doing they are charging Christianity and Christians with being abominations, for in the days of the Inquisition proper, there was but one established Christian church—the Church of Rome, which, however much its methods may be decried, was the prime factor in the civilization, the progress and the peace of Europe, and by whose efforts alone Christianity was preserved.

CHAPTER I

THE CONDITIONS THAT LED TO THE INQUISITION

IT is difficult for us to visualize the conditions that prevailed in Europe during the twelfth and thirteenth centuries, and yet in order to understand the Inquisition and the causes that led up to it we must try to picture Europe as it was at the time when the Inquisition came into existence. The various countries as we know them were unknown, and the map of Europe was very different from that of to-day. All of the western half of France was in the possession of the British. Italy was divided into the Kingdom of Italy in the north and the Kingdom of Sicily in the south, with Rome and Venice distinct and independent.

Southern Spain was in the hands of the Moors and the rest of that country was divided into the kingdoms of Aragon in the northeast, Castile in the center, Leon in the northwest, Portugal on the west and the little Kingdom of Navarre between Castile and Aragon. The eastern half of France, although nominally the Kingdom of France, was in reality composed of innumerable small principalities or dukedoms continuously fighting among them-

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selves, and Italy was in much the same state. Even Germany, that comprised all of central Europe and what is now Denmark, Austria, Switzerland, Holland and Belgium, was in the hands of independent princes, dukes, counts, barons and feudal lords. Poland was a kingdom by itself, as was Hungary. The Prussian possessions were in northwestern Russia, and all of the near east, of Bulgaria, Roumania, Turkey, Russia and the greater part of Hungary were in the possession of the Mohammedans and other "infidels." Over all this area of thirteenth century Europe, Christianity, such as it was, was represented by the Roman Catholic Church whose nominal head was the Pope in Rome. But as far as keeping in direct touch with his priests and prelates was concerned the Pope might almost as well have had his see in another planet. It is almost impossible for us to conceive of the conditions of travel and transportation in those days. There were none of the modern means of course: no posts nor even coaches between points, and no roads worthy of the name. All travel was afoot, by horseback or by slow sailing boats, and weeks, months, even years were required to travel from one portion of Europe to another. Moreover, laws that safeguarded travelers were practically nonexistent, and save in the towns, were never enforced. Every man was, to a large extent, a law unto himself; the land swarmed with banditti, thugs and robbers, and the petty rulers were little better than bandits them-

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selves. Yet despite all this the Church had not only maintained itself throughout the whole of supposedly Christian Europe, but had penetrated far into the lands of the Moslems and had attained to a point where it practically ruled the rulers of Europe.

History holds no such amazing example of the triumph of intellect and faith over savage brutality as that of the Catholic Church over the fierce, untamed armed forces of the countless lords of Europe of that period. With no power, no weapons save their piety and their appeal to the souls and minds of their fellow men, the priests of the Church had won complete empire over the hordes of Europe. Yet the Church of those days was the church militant and all Christians were taught and believed that there was no chance of salvation for any one who was not ready and willing to take up temporal arms in the defense of the faith. And at such a time, when faith was the determining factor of conduct, this belief resulted in a spiritual despotism which rendered all things within reach of the man who could wield it. This man was of course the Pope, for as the twelfth century drew to its end the Roman see's power had become enforced and had completely superseded the ancient independence of the bishops, until it controlled every prelate under the dread of expulsion. There was no appeal from the Pope, while the bishops held an equally autocratic and absolute power over their priests and the priests held a similar if not greater power over

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the laymen. And not alone was this power confined to religious matters. Law, or at least the greater part of what passed as law, was vested in the priesthood and all questions of inheritance, discipline, finances, usury and other secular matters were by common consent left to the supervision of the priests. Partly this was due to the fact that the priests were the only educated men, the only literate men, and partly it was due to the superstitious awe in which they were regarded. To the primitive Christians the man of God could do no wrong. He was inspired, more or less supernatural, and the world at large had not yet learned that priests were subject to the same frailties of flesh, the same temptations, the same errors as other men.

His cloth or his tonsure marked him as a being apart, as one elevated far above the rest of mankind, one whose person and possessions were inviolable and who, regardless of what crime he might commit, could not be detained, accused or punished by any secular authority. He was amenable only to the tribunals of his order, which were forbidden to inflict any punishment involving bloodshed, and even when convicted or reprimanded by these he was at liberty to appeal to Rome—a process requiring many months during which time the matter became forgotten or forgiven. Moreover, the clergy owned a large proportion of the most fertile lands of Europe, together with temporal jurisdiction over them and their tenants, and as these properties were

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inviolable the owners enjoyed even greater powers than the feudal lords and barons. Every man upon these church properties was a soldier of the Church, a man no longer a citizen of the country or kingdom of his birth, but a liege of the Church. Naturally, under such conditions, the Church—which as I have stated was then synonymous with Christianity—possessed an inconceivable power for good or evil, and it speaks most eloquently for the Catholic Church and the sincerity of its priesthood that, in the end, the good triumphed. Equally naturally, a condition such as existed attracted some unprincipled men whose vows meant nothing, whose assumed piety was merely a cloak under which to hide their deviltry and their lusts, and who posed as priests merely for the personal profit and power they thus obtained. The man who entered the priesthood was relieved of all cares and troubles, all family ties; in the priesthood there were no class distinctions, and the peasant met the prince on equal terms—a tremendous advantage in those days when caste ruled Europe with an iron hand and advancement in life and status was impossible to one not of noble or at least gentle blood. But in the service of the Church, or in the robes of a priest, talent and energy counted, and birth or ancestry meant nothing. Many popes were of the most humble origin. Alexander V had been a beggar; Gregory VII was a carpenter's son; Benedict XII was the son of a baker, and others had been peasants, cobblers, shepherds, etc., humble

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stations in life that would effectually have barred them from ever rising above their caste in secular matters. Hence the priesthood offered to the unprincipled a means of easy livelihood, a chance to attain tremendous power and riches, immunity from every law and punishment regardless of what crime or wrong might be committed, and a position that in secular affairs was superior to reigning princes and potentates. That "princes are servants of the priesthood" and that the "meanest priest is worthier than any king," were axioms universally taught and believed. The clergy had the courage of their convictions as was often proved, as for example, when the Pope Urban II excommunicated his king, Philip I, for adultery.

Considering this state of affairs, and considering the even more important fact that no strict examination nor preparation—no, not even a probationary period—was necessary for a man to become a priest, the wonder is, not that there was so much abuse of the priesthood and the rights conveyed by the Church as that there was so little.

Veritable angels from Heaven would have been required to carry out properly the tremendous power, the spiritual and temporal duties and the almost supernatural perfection expected of priests by the laity. Even to-day, if similar conditions prevailed in any church there would be abuses—probably far more than in the Middle Ages—of such power and immunity, and we must remember, before

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judging either priests or laymen of those days, that morals, crimes, humanity, injustice, in fact all matters of conscience or of behavior, were not in the least what they are to-day. Morality, as we know it, was practically nonexistent; acts that we would regard as most barbarous and savage were everyday matters; might made right, and the human race, accustomed to bloody wars, tortures, the most revolting and terrible forms of executions, had grown callous of death and suffering.

So it is not at all surprising that with the freedom from all restraints assured and with fear of any punishment removed by merely donning a priest's robes and muttering a vow that was meant to be broken, thousands of rascals should have joined the priesthood. Even among the bishops of the Church the same held true. Although election by the clergy was existent in theory, in practice the electoral body—when any—consisted of the local cathedral canons whose choice was confirmed by the king or feudal lord of the district and, eventually, by the Pope. As a result, many corrupt and wholly unfitted men occupied bishoprics, for a corrupt electoral body or a local robber-baron who wished to stand in with the local branch of the Church, saw to it that the bishop who was elected was of the type to further their ends. In short, politics and religion went hand in hand. There was another feature of the case which has been largely overlooked, yet is perhaps the most important of all as effecting the conditions

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that led to schisms in the Church, the springing up of heretical faiths, and the Inquisition. This was the fact that in a land where every form of worldliness, licentiousness, greed and partisanship ran riot, it was practically impossible to find a really good and unselfish man anywhere. No doubt, in the majority of cases, the men elected to bishoprics were the best there were to be had, but that was not saying much. In fact that such was the case we know from records. Thus St. Peter Damiani in asking Gregory VI to confirm a bishop-elect of Forsombrone, says that he is unfitted for the position and should be made to undergo penance but adds: "What better may be done, for in the whole diocese there is not an ecclesiastic worthy of the office."

With such men in charge it is not surprising that, mingled with the devout, worthy, sincere and pious priests, were many who were lewd, dishonest and everything bad. And as is ever the case, their reputations gave a bad name to all.

As a result of all this the priests earned the reputation of accepting bribes, of simony, of concubinage, of incest, of rapine, robbery and even of murder, and it was in vain that such admirable men as Fulbert of Chartres, Hildebert de Le Mans, Odo de Chartres, Lanfranc, Anselm, St. Bruno, St. Bernard, St. Norbert and others struggled and fought to enforce respect for religion and morality and to stamp out the vices and the corruptions that were flourish-

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ing under the guise of the priesthood—not because of the Church but in spite of it. Worst of all, and largely responsible for this lamentable state of affairs, was the difficulty in proving charges and the long period necessary to bring charges, when proven, to the attention of the Pope and to receive a decision.

In many instances salutary punishment was dealt out by the Pope, but in many more, other matters of greater importance intervened, there were delays, feudal lords or princes—or even the petty kings—would intercede in behalf of the accused, and before there was any result there would be a new occupant in the chair of St. Peter. Neither must we forget that in those days of violence, of constant internecine and civil wars and of legalized banditry, the meek and humble had no chance. All prizes were for those who wielded either influence or a stout, keen sword, and the medieval prelates, despite their vows, were not at all averse to taking up worldly as well as spiritual arms in favor of or against some lord, baron or prince. Younger sons of noblemen and royalty found bishops' miters fitted their heads as well as helmets, the cross was as familiar to their hands as the mace or sword, and under the security of their robes and tonsures they could intrigue and chaffer and play politics to their hearts' content, and when it came to open war they were as ready to don the mail and ply the weapons of the times as the knights themselves. When excommunication

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or other spiritual threats failed to bring some rebellious vassal or lord to terms there were the forces of some friend or relative to call upon, and the bishops thought nothing of ordering one prince or lord to declare war on another or even of declaring war themselves, if in their minds they felt by so doing they were solidifying the Church or holding their flocks together.

Very frequently, also, men held dual positions as bishops and lords, and in case of war were morally obliged to lead their troops regardless of their cloth. During the wars between the Emperors Philip and Otho IV, Lupold, Bishop of Worms, led the troops supporting Philip, and when his men hesitated to sack churches the worthy bishop—perhaps speaking in his rôle as soldier—replied that it was enough if they did not desecrate the bones of the dead. But we must, to be fair, admit that in such cases, when the acts of the prelates were reported to Rome with proof of the facts, the popes seldom approved, and in many instances left captive bishops—taken in battle—to the mercy of their captors. Still, the very fact that clerics could instigate and take part in wars led to those with no principles making war for their own enrichment or aggrandizement, and Geroch of Reichersperg complained most bitterly against the militant prelates who provoked unjust wars, attacked the peaceful and gave no quarter, sparing neither laity nor clergy, as well as spending the incomes of the Church on soldiers to the depriva-

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tion of the poor. The result of all this was that even the priests came to regard the bishops as beyond the pale, and many most worthy priests absolutely refused to accept bishoprics because of the notorious scandals regarding the bishops of their own church. Very largely this condition was the result of the fact that these men were answerable only to the Pope, and to make a formal charge was equivalent to signing one's death warrant, while even if the complainant were a man of high position and influence it was most difficult to prove charges that necessitated a long, arduous and dangerous journey to Rome. Even when such an incorruptible and resolute pontiff as Innocent III was Pope the difficulties and dangers faced in making formal complaints of this character resulted in many persons failing to undertake the trip to Rome, although the number of penalties that Innocent III imposed for lapses on the part of bishops, proves how widespread was the corruption at that time. As an example of the tremendous difficulties involved, there is the case of Maheu de Lorraine, Bishop of Toul, who was consecrated in 1200. Within two years his chapter appealed to Innocent for his deposition, charging him with every form of vice and debauchery and the impoverishment of his district through his excesses. And although it was proved that he lived in concubinage with his daughter and had committed murder and other crimes it required ten years to bring him to trial and to secure his removal. Even ex-

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communication had no deterrent effect upon men of this stamp. Being godless and making a travesty of their religion, they had no fear of excommunication from a church they had disgraced and degraded, and there are records of bishops who were appointed to sees in provinces that they had never visited. Being immune to secular laws, being supreme in their relations to the local inhabitants and their priests, these militant, criminal and depraved men could laugh at king, prince or pope and did more to injure the cause of Christianity and the reputation of the Church than anything else in the entire history of our faith. And the truth of the old adage, "like master like man," was never better borne out than by the priests under these bishops. Even when they were too pious or too conscientious to commit sins or violate their vows, they saw nothing wrong in oppressing the people and in exacting tribute, and as they waxed more powerful and richer the clerics in isolated districts became, to all intents and purposes, independent communities, even defying or refusing to recognize the power of their pope. In fact there are many instances of such communities of clerics actually bribing papal nuncios to keep away, and thus avoiding all danger of being called to account or excommunicated by their ruler.

In many cases monasteries became feudal castles, and wars were carried on between the bishops in much the same manner as between barons and princes. Thus in 1182 the rich abbey of St. Tron

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was attacked by the bishops of Metz and Liége, the abbey and the town were burned, and the inhabitants were put to the sword without mercy.

Yet there was a brighter side to the picture. In the famine of 1197 the Abbot Gebhardt of Heisterbach distributed alms so freely that he fed 1,500 people daily, while the mother house of Hemmenrode supported the poor of its district until harvest time, and a Cistercian abbey slaughtered its flocks and herds and even pledged its books and sacred vessels to feed the starving.

But on the whole the personnel of the Church was becoming more and more decadent, more and more independent of Rome, and as a result, the priesthood was losing its power and its hold over the populace. Everywhere soldiers of fortune were joining the clergy for the sake of an easy living and the satiation of their fighting instincts, criminals were allowed to enter the monasteries and take the vows in lieu of punishment, and turbulent trouble-makers, defeated in battle, sought sanctuary as priests and monks. And to add still more to the scandals that now had become associated with the monks and their activities, wandering vagrants, robbers, thugs and criminals of all sorts adopted the scheme of wearing habits, and with bearded faces and tonsured heads traveled the country and made a living by begging and peddling counterfeit relics and religious objects. So flagrant did this abuse become that at one period it was forbidden to extend any hospi-

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tality to any wandering mendicant monk, the good suffering for the bad as usual.

Of course there were repeated efforts made by the really sincere men to reform the abbeyes, the monasteries and the priesthood, but without much avail. It was not until the founding of the mendicant orders, the Franciscans and Dominicans, that the Church, which after reaching such a pinnacle of power and triumph for the good of mankind and the glory of Christianity, had fallen to the lowest level, began to purge itself of the cancerous growth that had grown up within it.

Had the malignant growth been permitted to continue a little longer, Christianity would have become lost to Europe, and just as heroic measures must be taken to cure diseases of the flesh, so the only measure that could be used to combat the spiritual disease that afflicted Europe and threatened to destroy the Church was an equally heroic measure—the Inquisition.

CHAPTER II

THE BEGINNING OF THE INQUISITION

THE Inquisition was not, as is so generally supposed, devised and carried out by the ambition, the intolerance or the fanaticism of the Catholic Church. It was merely a natural, an inevitable, result of conditions existing at the beginning of the thirteenth century in Europe. And it had little or nothing in common with the New Inquisition or, as it is more generally known, the Spanish Inquisition, founded by Ferdinand and Isabella.

For that matter, the Inquisition was nothing new even in the thirteenth century. It was merely the evolution of ancient methods used to detect and suppress crimes or to wring secrets from human beings, and was undoubtedly borrowed very largely from the Orientals—the Moslems and Moors—with whom the Christians of Europe had been battling for centuries. In fact there is abundant evidence that exactly the same methods as those employed by the Inquisition were used by the Mohammedans upon Christians and by Christians upon Mohammedans for purposes far from religious. For that matter it had been in vogue in medieval Europe for many years, and had been freely employed by the

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secular authorities, as well as by rulers, bandits, feudal lords and others. But it did not arouse any great notice nor any outcry until adopted by the Church. Once religion enters into anything the fiercest passions of man are aroused, and though the Inquisition was unquestionably employed through the highest and best of motives—the salvation of souls and the maintenance of Christianity—it developed into a veritable Frankenstein that brought forth the basest in mankind and threatened utterly to destroy the religion and the civilization it was designed to save.

In the foregoing chapter I have given a brief *résumé* of the conditions that existed in medieval Europe at the close of the twelfth century, and the prostitution of the Church and the clergy. The direct if not immediate results of such deplorable conditions were twofold: first, the gradual destruction of faith in the priests and consequently in the church they represented, and secondly, the formation of new religions designed to supersede Christianity as exemplified by the priests of the Catholic Church.

Mankind must have some form of faith, some religion in order to exist, and having before them abundant proof that the priests did not practice what they preached, that their own orthodoxy did not help them to avoid the trials and tribulations with which they were afflicted, that the Pope could not enforce his power, and that the religious men

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were no better than themselves and were not possessed of supernatural nor divine powers, the people began to ask themselves questions and to seek the truth. And when ignorant, highly superstitious and primitive people begin to wake up and use their brains and search about for a new religion, they are apt to go to extremes, especially if they have been disillusioned in regard to a faith in which they have believed implicitly for centuries. This was precisely what happened in Europe. Their belief in Christianity and God had been rudely shattered. They had been taught to worship God and deny and avoid the devil, so, in many of the cults that sprang into existence, the exact opposite was the creed: worship the devil and deny God. In other cases, sorcery and witchcraft had a very large part, for in medieval Europe even the most intelligent people, including the clergy, believed implicitly in witchcraft and necromancy. In still other cases the new religions were a strange commingling of the heathen rites of the people's ancestors (for we must remember that the European races were but a few centuries removed from paganism) with Christianity. In still others there was no little Mohammedanism, Buddhism and even Judaism embodied, while a few were merely schisms of the accepted Catholic religion, varying so slightly from the orthodox faith that an expert theologian would have been required to detect the differences. But in nearly every case those things that had been lauded by Catholicism were

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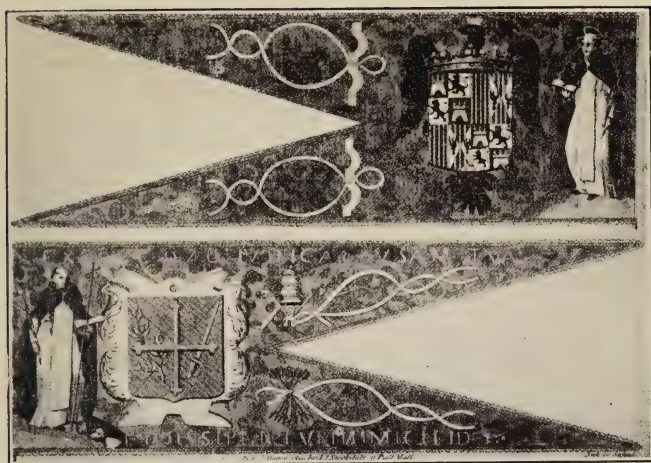
cast aside as wrong while those matters regarded as wrong or sinful by the Catholics were looked upon as saintly. A discussion of all these faiths and schisms has no place in the present work. Even to give a complete list of them would require pages, for they were legion, and many of them died out or were abandoned almost as soon as they originated, while many had such a small following that they were of no importance. Still, everywhere, new exponents of new faiths were appearing. It was an era of self-styled Messiahs, self-canonized saints, self-appointed saviors and apostles. But chiefly they were divided into two main classes: the antisacerdotal Christian beliefs and the Manichæan creeds. The former were in most respects little different from the established faith, but were directed against the abuses of the priesthood. One feature common to all was a revival of the Donatist tenet that the sacraments were polluted in polluted hands so that a priest, living in sin, was incapable of administering them. Under the conditions then prevailing the result was that practically the entire body of the priesthood was under this ban. Moreover, the adherents of these creeds had, as a bulwark of attack, the policy of the Holy See which had been unremitting in its efforts to stamp out clerical marriages and concubinage. Some idea of the revolutionary state of affairs that had arisen between the priests and the Pope may be obtained by the fact that the priests of Cambrai, who had

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disregarded the papal orders, actually burned at the stake a member of the Church who had maintained the orthodoxy of the papal rescripts. This tenet was, however, the least important of those of the antisacerdotal faiths. Churches, it was claimed, were useless, as God listens to worthy prayers regardless of where they are uttered. The cross should be destroyed instead of revered because it was merely a cruel device by which Christ was tortured to death. The invocation of the saints was rejected. Masses, prayers and alms for the dead were of no avail, as a soul, once it left the body, was in God's hands. Any man or woman leading a pure apostolic life, whether a priest or layman, could preach and administer the sacraments. Indulgences * were sinful and of no avail. Lies were mortal sins and oaths taken in a court of justice were sinful and unlawful, while homicide, whether in war or otherwise, was not permitted under any conditions.

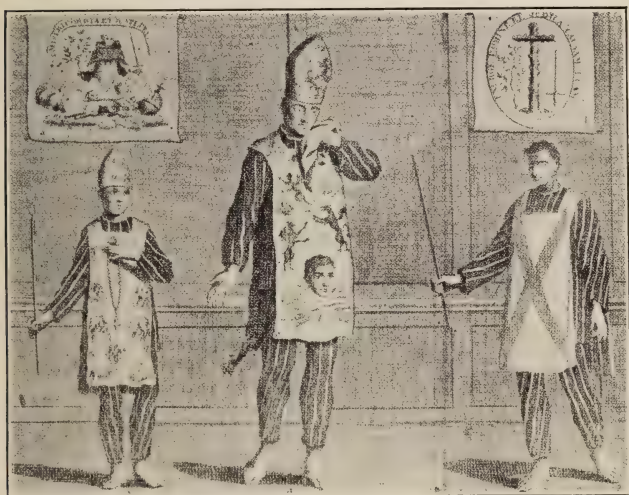
There were numerous other tenets, most of which were diametrically opposed to the tenets of the established church, but principally they were aimed at and were the result of the corrupt condition of the clergy. Their adherents were not apart from some of the most respected and devout members of

* A remission of the temporal punishment due to sins after sincere repentance. This was abused and extended by dispensing indulgences that promised the recipients release from Purgatory for specified periods, and in some cases even promising a direct course from earth to paradise.



STANDARD OF THE INQUISITION IN VALLADOLID,
SPAIN

*"Arise up, Lord, and judge Thy cause and let the
enemies of the Faith be scattered."*



SAN BENITOS AND BANNERS OF THE
INQUISITION

From an old print in Lima

THE BEGINNING OF THE INQUISITION

the Catholic priesthood themselves, for earnest and sincere members of the clergy were as loud in their open denunciation of the abuses and scandals as were the schismatics. Thus Robert Grosseteste, Bishop of Lincoln, declared in the presence of Pope Innocent IV and his cardinals that "the clergy are a source of pollution to the whole earth; they are antichrists and devils who make the house of prayer a den of robbers." And when Passau, the inquisitor, in 1260 undertook the suppression of heresy he declared that the stubbornness of the heretics was warranted by the sins of the priests and drew up a list of prevalent crimes of the clergy that is awful in its details. Yet to deny any of the existent and recognized doctrines or tenets of the Church was heresy, as much heresy as to believe in devil worship or any other unchristian religion. And hence it is not surprising that instead of confining themselves to various interpretations of Biblical teachings and merely creating slight schisms in the Roman Church, the people went to extremes and, believing they might as well die for sheep as for lambs, evolved most far-fetched and even weird and heathenish forms of religion. That they should have let their imaginations run riot was only natural considering the moral, mental and intellectual state of Europe at the time. Not only had they received ample proof that the alleged holy men were far from holy, but in the deep and almost hopeless misery which oppressed the masses, torn with unceas-

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ing and savage warfare, ground under the iron heels of feudalism and dominated by a sinful and militant clergy, the people saw in the near future the end of the world, the coming of Antichrist and the Day of Judgment. Moreover, they were surrounded and steeped in mysticism. They had been taught that demons were always hovering about ready to lure souls to perdition, to destroy crops, to cause sickness or to wreak harm in some way; and hence, having found that the worship of God and the saints brought no cessation of their troubles, the people turned naturally to the primitive belief that the demons should be propitiated. Unquestionably, all these sects were the result of sincere and worthy efforts to better the people; they were the gropings of untutored, ignorant minds seeking salvation, and without exception they preached charity, humility, honesty and other virtues. If in some cases they carried matters to extremes—as in the doctrine that all procreation was sinful and hence marriage, the bearing of children and even eating flesh, the result of procreation, were mortal sins. The new doctrines were the result of the people's efforts to break away completely from the carnal sins of the clergy.

Moreover, the people could not see any reason why they should not believe and practice whatever creed, faith or religion they saw fit. To be sure, liberty of thought, as we know it, had not actually dawned upon them; but, they argued, as long as Jews, Moslems and adherents of other well recog-

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nized religions were not considered heretics but merely infidels, and did not come under the ban nor the jurisdiction of the priests, why should a new belief be deemed heretical? This was logical and sound reasoning, but they overlooked the fact that the Church drew a fine line of distinction even in the case of the Jews and other infidels. A Jew or a Moslem who had never had the benefits of Christian baptism and absolution was not amenable to Christian discipline or judgment, but had he once been baptized or taken into the Christian fold and afterwards relapsed, he was, *ipso facto*, a heretic, as was the child of a converted Jew or Moslem if he or she reverted to the faith of his or her fathers. Hence any Christian, or the offspring of any Christian, was a heretic the instant he or she accepted or even listened to any creed, doctrine or exposition of religious beliefs that differed in the most minute detail from that laid down by the Church.

Yet so lax had the clergy become, so completely given over to vices, politics, intrigues, and the acquisition of wealth, that little heed was given to the rapidly increasing and spreading heresies, and the people found themselves practically free to follow their own ideas as to their religious beliefs and practices. Particularly was this the case in southern France which very soon became a hotbed of schisms and heretical creeds. No doubt, had the Church been less complacent, less assured of its complete power and triumph over the bodies as well

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as the souls of the masses, the various schisms and new faiths never would have secured any foothold worth while. And certainly, had the clergy done its duty and purged itself of its sins, there never would have been any necessity for the Inquisition with its attendant horrors, abuses, tortures, sacrifices and curses.

But by the time the Church waked up to affairs it was too late. Instead of a few leaders, a few exponents of heretical beliefs, there were countless thousands of ignorant people to deal with. And to deal with ignorance is a far greater problem than to deal with intelligence. With few exceptions the new beliefs were evolved and preached by men of most humble origin, ignorant, fanatical, courting rather than avoiding the chance of martyrdom.

To make the problem of the Church still more difficult of solution many of the leaders and apostles of the heretics were prelates and priests of the Church itself, monks and clerics who, disgusted with the sins and excesses of their fellows, had joined forces with the people. Never in the history of Christianity had there been such a condition. The Church had lost its grip, the priests had lost their hold and power over the populace, and while countless tens of thousands were still faithful to the Church there were many more who had gone over, wholly or partially, to the new beliefs. In addition to all these there were others—priests, monks, even bishops, abbots and cardinals—who had begun to

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question the accepted interpretations of the New Testament and the rulings of the Pope on questions that had arisen. While still adhering to the doctrines and the religion of the Roman Church and leading exemplary lives, they maintained their right to follow the teachings of Christ in their own ways. To the Church these men were the greatest danger of all. The masses might be weaned from their heretical beliefs by threats of eternal damnation and by other punishments; schisms might be destroyed or their adherents brought back to the fold. But recalcitrant clerics who knew the inner workings of the priesthood, who were cognizant of the abuses that existed and who were intelligent, literate, often learned men, could not be wheedled, frightened nor bribed into abandoning their sincere efforts to better the conditions and to purify the religion. Quite naturally the disaffection of these members of the clergy added fuel to the fire that threatened utterly to destroy the unity of the Christian religion. If, argued the exponents of the new creeds, the priests and prelates of the Church are at loggerheads over their own religion and fight among themselves as to what is and what is not Christianity, how then can we be sure any of them are right? A logical and plausible argument, we must admit. But regardless of what the people did or did not believe, irrespective of the admirable or objectionable features of their beliefs, all—even the dissenting priests and prelates of the Catholic

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Church—were out and out heretics in the eyes of the orthodox.

But it is one thing to declare a man a heretic or a sinner and quite another matter to suppress him, as the Church very soon discovered. Excommunication, a weapon that for centuries had been the most powerful and efficacious means of bringing straying sheep to the fold, had lost its terrors. It was useless to threaten to expel a man from a church in which he had no faith and from which he had voluntarily withdrawn. And as many if not most of the new faiths taught that the Pope had no control over the destiny of souls, excommunication lost all its power. It was equally vain to attempt to bring the heretics to justice. To be sure, the common herd, the simple peasants without means, friends or influence might be punished, burned at the stake or otherwise destroyed. That, however, did not deter others, but merely made them more cautious and more secretive. And in the case of the influential, prominent members of the new schisms and sects the Church found its hands tied. It was too inextricably mixed with feudalism, politics and worldly matters to have a free rein or to enforce its laws upon princes, lords, seignors and other rulers of the land. They were more or less laws unto themselves, and if the local bishops or priests persecuted them they could retaliate and make matters most uncomfortable. Once they had abjured the Church they had no hesitation in lead-

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ing armed forces and attacking monasteries, abbeys or churches, in putting the priests and monks to the sword, and in declaring themselves not only the temporal but the religious rulers of their districts. And if they did not resort to such drastic means to preserve their property, their lives and their religious independence, they could always buy immunity and absolution from the corrupt members of the clergy.

In vain the Holy See issued papal bulls, in vain the Pope urged the priests and prelates to stamp out the heresy that was spreading like wildfire throughout the land. < Heresy had become almost as well organized as the Church; its adherents were everywhere—even within the monasteries and churches—and the few worthy and zealous priests and monks scattered through the vast territory nominally under the Pope were powerless to carry on a campaign that was hindered, handicapped and betrayed by their fellows.

The Church might condemn the heretical doctrines and their exponents, but by so condemning them and yet failing to destroy them, it tacitly admitted its defeat. Moreover, it had acknowledged to the world that the root of the trouble was within the Church itself. It had admitted the excesses, the corruption, the blasphemous abuses that existed in the priesthood, and even the Pope had condemned his clergy. In his opening address to the Lateran Council, Innocent III declared: “The corruption of the people

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has its chief source in the clergy." And he proceeded to enumerate specific cases of the most flagrant and scandalous abuses that he knew existed. Moreover, he employed almost as drastic measures in his efforts to suppress the abuses prevalent in the Church and to purify the priesthood as he resorted to in his campaign against heresy. But he was as unsuccessful in the one as in the other. The heretics had gone so far that they were well nigh as powerful as the Roman Church, and in some places they had established churches of their own, with their own bishops, priests and organizations, and they openly defied Rome. Feeling all other means futile to cope with the danger that threatened to overthrow Christianity, Pope Innocent III determined upon the most drastic of measures, and organized an overwhelming war upon heretics and heresy. The result were the Crusades, not the crusades directed against the Moslems and infidels of Palestine, but crusades against fellow Europeans, against towns, and provinces where heresy flourished, and against rulers and princes who either supported heretics or ignored them. With absolution for all sins and heresies as reward for those who took part in these crusades, thousands flocked to the banner of the Cross. The rag, tag and bob-tail of Europe, the worst as well as the best, soldiers of the Church and soldiers of fortune, the lawless and the law-abiding took up arms, and a bloody, savage, relentless warfare was waged with family

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against family, brother against brother, father against son, until vast areas, innumerable towns and great cities were laid waste and thousands of lives were sacrificed. Yet in the end the heresies continued, stronger than before if anything, and far more widely disseminated, for when driven out of one spot they took root in another, and refugees fleeing to such distant lands as England and Ireland carried with them the seeds of the new faiths which, in many places, found fertile soil wherein they spread with amazing rapidity.

Indeed, there appeared to be no solution to the problem until, as if by special dispensation of Providence, the mendicant friars—the Franciscans and Dominicans—appeared upon the scene.

These men, whose vows imposed poverty, an austere life, the abjuration of all worldly desires and pleasures, seemed the chosen instruments of God for the suppression of heresy. They led exemplary lives, they were beyond criticism in so far as their piety and devotion to their church were concerned, and they possessed a fanaticism, a determination and a fearlessness that seemed almost superhuman. Threats, dangers, persecutions, even death held no terrors for them. To suffer or to die in the fulfillment of what they believed to be their duty was to earn a martyr's crown of glory, and they were immune to bribery, to influence, and regarded all men as equal and with no distinctions between prince and pauper, cleric and layman when

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it came to a matter of mortal sin or punishment therefor. In these mendicant friars the Pope saw the tools or rather the weapons he had so long sought in vain. To them he turned for help in the stamping out of heresy, and with them the Inquisition came into existence.

CHAPTER III

POWERS OF THE INQUISITION

THE Inquisition was not an invention but an adaptation by the Church of methods that had been employed for centuries by secular authorities, for as early as 385 a heretic was condemned to the stake after being tortured. Yet so severely did the Church frown upon this that one of the clerics who had conducted the prosecution was expelled from the priesthood and the other was forced to resign and both were refused communion. In 447, however, death was recognized as a just punishment for heresy, although not legalized until 1224, when Frederic II decreed that the penalty for heresy should be death or the loss of a tongue, the choice being left wholly to the discretion of the judge. In 1231 the Sicilian Constitution made punishment by burning absolute, as it was in Germany. In Venice, after 1249, the ducal oath of office included a pledge to burn all heretics, and in 1255, Alonso the Wise decreed the stake for all Christians who adopted Mohammedanism or Judaism. The French law of 1270 also made burning at the stake the compulsory punishment for heresy, although this penalty had been in common use for several centuries before,

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while England, which was comparatively free from heretics, did not adopt the penalty until 1401. Prior to these dates the attitude of both Church and State in regard to heresy and heretics was uncertain, and depended largely upon the individual—judge or priest—who passed upon the cases. There was no fixed rule or law and in many cases heretics were condemned and executed without even a hearing or the semblance of a trial. In fact, in several instances, the public took the matter in their own hands, as in Cologne in 1145, when they seized a number of accused heretics despite the resistance of the clergy and burned them at the stake—one of the earliest recorded lynchings. Yet at the same time St. Bernard argued that heretics should be won over to the true faith by reason and not force, although he admitted that an obstinate heretic merited no mercy. Alexander III on the other hand refused, in 1162, to pass judgment of death upon convicted heretics, declaring it better to pardon the guilty than to put the innocent to death. Peter Cantor argued that the heretic should be avoided and not killed and he condemned the severity shown heretics while the grossest sins and immoralities went unpunished. In 1157 the punishment for heresy inflicted by the Council of Reims was branding in the face, and the same penalty was in force in Oxford in 1166. In 1199, Innocent III imposed only exile and confiscation of property upon heretics, and yet in the same year the secular authorities



PROTESTANTS TORTURING CATHOLICS IN IRELAND

From an old print



ANA DE CASTRO BEING RACKED

From an old print in Lima

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burned eighty heretics in Strasbourg. As positive law, burning, however, was made the penalty for heresy when Pedro II of Aragon issued his decree in 1197, and yet, fifteen years later, we find Otho IV (first in line of Guelphs) merely placing heretics under the imperial ban, confiscating their property and tearing down their houses.

These discrepancies in the laws of various places and by various princes, judges and prelates, rendered coöperation of the authorities almost impossible, and the same was true of the laws, or better, the customs regarding the apprehension, the trial and the proof required in prosecuting men and women on charges of heresy. Prior to the organization of the Inquisition the use of torture for wringing admissions or confessions of guilt from accused prisoners had been frowned upon, and in most cases forbidden by the secular authorities and by the Church. Of the two, the Church had been the most strongly opposed to the use of torture, and more than a century before the beginning of the Inquisition canon law ruled that no confession obtained through torture was valid. In fact torture had been unknown to the barbarian peoples of Europe with the exception of the Visigoths, and it was not until the revival of Roman law, in 1215, that Europeans introduced tortures as a part of judicial procedures. The earliest known instances where it was included as a legal procedure are in the Veronese Code of 1228 and the Sicilian Constitution of 1231, and even

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then it was to be resorted to only in specially flagrant cases. Yet so rapidly did torture rise in favor, especially in Italy, that in 1252 Innocent IV authorized its use for detecting heresy, although he expressly forbade its administration by the inquisitors or any members of the clergy, the use of torture being left solely to the secular authorities. In fact all the church canons were most particular to stress the law forbidding the clergy to use torture, or even to be present when it was used, under penalty of being barred from all religious functions until "dispensed" or purified. Hence it is clear that torture, the greatest abomination of the Inquisition, was not an abuse ordered by the Church nor authorized by it. It was a civil or secular matter provided by law, and when employed by the inquisitors of the Church it was done in direct opposition to the papal orders and in spite of the Church, just as the third degree is administered by our modern police, although contrary to law and without judicial authority. We can find another analogy to our present-day police methods in the fact that priests could absolve one another and thus remove all impediments to the employment of torture, just as our prosecuting attorneys and jurists remove all restraint from the police by overlooking their violations of a suspected criminal's rights. According to the laws in force at the time of the Inquisition, a confession or admission extracted by torture was not legal, and neither, under our laws, can an

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accused man be forced or inveigled into making a statement jeopardizing his life or liberty. Yet the confessions wrung from victims of the Inquisition by means of the rack, wheel or *strappado*, sent many a man and woman to the stake, and third-degree methods of to-day have sent many to the electric chair, the gallows, or to prison. In either case the only person who could prefer charges and demand the enforcement of law was the victim, and the word of an accused and confessed criminal carried as little weight and influence in the days of the Inquisition as it does to-day. And as torture saved a lot of time, trouble and expense for the inquisitors—who often had thousands of cases on their lists—it became a favorite and almost universal means of proving heresy. In fact, in a very short time, it became primarily a prerogative of the Inquisition, and in 1305 Fra Tomaso d'Aversa personally inflicted the most horrible and inhuman tortures on the Franciscans who had been accused of heresy. For it must be admitted that whatever else their shortcomings may have been the inquisitors did not show favoritism nor partisanism, and made no discriminations, but used the same methods upon fellow priests, upon bishops or cardinals, upon princes or potentates as they employed in the cases of the humblest and meanest of peasants. Indeed, there is no doubt that, had occasion arisen, they would have put a pope to the torture and would have condemned him as a heretic, for never, in the history

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of the world, have men been vested with greater powers over the lives and liberties of their fellow men. This was, however, absolutely essential if the Church was to survive and if the Inquisition was



BLINDING A HERETICAL BISHOP

From an old print

to save it. As I have said, lack of coördination, the absence of uniform laws, the jealousy and hostility of feudal lords, of princes and of authorities, the political intrigues of the clergy, the excesses of the priests, had all militated against any concerted and

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intensive efforts to suppress the heresies that were undermining the civilization of Europe and were threatening to destroy Christianity.

The average prelate or priest could be bought as easily and cheaply as any representative of the secular law. The powerful lords wielded too great an influence to permit their being prosecuted, and there was so much ill feeling between the various abbots and bishops that a heretic, prosecuted by one, could seek refuge under another and be sure of protection. Moreover, as I have pointed out, the people had lost all respect for the clergy, and it was not until 1206 that a new light fell as if from Heaven upon the darkness of the scene. By chance a Spanish prelate, Diego de Azeveda, Bishop of Osma, arrived at Montpelier and supplicated Pope Innocent to permit him to resign his bishopric in order that he might devote his life to missionary work among the heretics and infidels. Then, exhorting the legates who were present to abandon their gorgeous retinues and their pomp, and to don robes and sandals, he set the example, and barefooted and in a habit, set forth, retaining as his only comrade his subprior, Domingo de Guzmán, who had already, on his voyage to Rome, converted several heretics. Wandering everywhere, depending upon charity for a livelihood among the hordes of heretics, they prayed and preached but made few converts, although never injured nor molested. One of their handicaps was the fact that the Church, at last fully

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alive to the abuses of the priesthood, had gone to the opposite extreme and showed more than zealous care in restricting the office of preaching the Faith. As the original little band of self-appointed missionaries could cover comparatively little territory, and it was essential that their numbers should be increased, they were forced to apply to Pope Innocent for special authority to confer licenses to teach in public upon those they deemed worthy. The reply of the Pope, granting this authority, was perhaps the most important event of centuries, and was destined to prove one of the most far-reaching and important events in the history of the Catholic Church and of Christianity, for it was from this act that the Dominican Order grew.

Little did Pope or prelate dream that the humble subprior, Domingo de Guzmán, who discarded pomp and pageantry in favor of coarse robes and bare feet, and followed Diego de Azeveda on his self-imposed task, would become one of the most revered of saints, the greatest champion of the Church in history and the founder of an order that has become famed throughout the entire world. A man of earnest, resolute purpose, without being fanatical, of deep and unalterable convictions, filled with burning zeal, Domingo de Guzmán was yet one of the gentlest and most cheerful of men. His attitude was ever one of kindness and his innumerable triumphs over heresies were the result of his eloquence, his convincing arguments, and not of

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threats, tortures nor punishments. His life was austere in the extreme, his charity and compassion were boundless, and the people, long accustomed to every form of sin, excess and depravity on the part of the priests, were universal in their respect and admiration for the pure and self-sacrificing Dominic and his followers.

Originally formed as an order of preachers, the Dominicans were not, as is popularly supposed, a mendicant order until after the rise of the Franciscans had proved how attractive and useful was the power of poverty. It was not until 1220—only a year before Dominic's untimely death in his fifty-first year—that poverty was adopted by the order in their General Chapter. And it was not until 1228 that it was embodied in their constitution with the proviso that no lands nor revenues should be acquired, that its members should not solicit money nor gifts, and making it a grave offense for any brother to retain any of the gifts received. That many individuals and many branches of the Dominicans failed to adhere to these rules of enforced poverty is certain, but St. Dominic rigidly adhered to them and died in the bed of the Friar Moneta in Bologna, clad in Moneta's gown, he having neither bed of his own nor a whole gown to his name.

That such a tiny band as the original Dominicans could make any headway where the Pope and armies had failed seemed impossible, a wild and visionary scheme, and we can scarcely blame devout Catholics

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for crediting the good Dominic with working miracles when we consider that thousands flocked to join his order, men so exalted, so wrought up with religious fervor that many went mad. They came from every walk in life—from the peasantry, from the nobility. Even many heretics cast aside their beliefs and joined the Dominicans of their own free will, and the order increased and spread with miraculous rapidity. Four years after the original sixteen disciples had set out from Toulouse, the Dominicans had sixty convents and were represented in Spain, Provence, France, England, Germany, Hungary, Lombardy and Roumania. Everywhere the most intelligent and enlightened men were donning the Dominican habit, and wherever they appeared they instantly won the respect and the veneration of all classes.

At the same time that St. Dominic was building the order that was to bear his name and was destined to play such an important part in the history of Christendom, another saintly man was forming a somewhat similar order of mendicant friars. This was Giovanni Bernardone, the son of a trader of Assisi. He was a dissipated youth, until a dangerous illness brought about a remarkable change when he was in his twentieth year. Thereafter he devoted himself to charity and mercy, becoming so fanatical in his zeal that he stole a quantity of his father's goods, as well as his horse, which he sold in order to secure funds for restoring the church

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of St. Damiani. Exasperated, his parent haled the youth before the bishop to force him to renounce all claim to his inheritance; but Giovanni, or as we must call him, Francis, went even farther, and stripping off his garments with the exception of a hair shirt, renounced everything of a worldly character. The prelate, scandalized at his nakedness, seized the worn-out cloak of a peasant servant and threw it over Francis' shoulders. Still wearing the dirty gown, the youth set forth on foot as a wandering beggar, and was so successful that he was soon able to rebuild four dilapidated churches. Aside from begging for alms, which he devoted entirely to religious purposes, while he lived a life of abject poverty and renunciation, he showed particular interest in the lepers. Very rapidly his fame spread and men joined him, until when his band had increased to eight, Francis announced the time had arrived for them to evangelize the world, and sent them in pairs to the north, east, south and west.

The new order of Franciscans spread fully as rapidly as did that of the Dominicans, and by 1221 it numbered fully five thousand members, including a cardinal and several bishops, and by 1256 it had extended to every corner of the known civilized world.

Thus the two great orders of the Dominicans and the Franciscans developed side by side, and while the former were preëminently preaching friars, whose lives were devoted to saving souls and win-

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ning over heretics, the Franciscans were primarily devoted to charity and mercy and the comfort of bodies as well as souls. Both orders, however, were beyond reproach as to lives, purity, religious zeal and immunity to bribery and corruption. Both were spread everywhere, both were respected even by the most ardent heretics, and the members of both orders were absolutely devoid of personal fear.

Hence it is but natural that, in seeking a means for combating the heretics and heresies, the Pope should have turned to the two orders of mendicant friars. And it is a strange commentary upon the intolerance and the inhumanity of man that the very fundamentals of the orders, the self-imposed poverty, labor, humility and charity should have resulted in persecutions and cruelties, and that many whose only heresies consisted of obeying the precepts of their founders should have been put to terrible and ignominious deaths.

Such occurrences were long after the orders had been selected by the Pope to combat the enemies of the Church, and in order to do this successfully privileges and exemptions of all kinds were showered upon them, until by 1244, they had become completely independent of the other ecclesiastical organizations and quasi independent of Rome. Not only were bishops required to give absolution to any Dominican or Franciscan who applied for it, save in cases of such enormity that only the Pope could act, but in addition, the mendicant priors were

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authorized to absolve their friars from any censures inflicted upon them, as well as to remove orders of excommunication. Thus the members of the orders became responsible only to their own superiors, and in 1296, a papal bull formally released the members of the two orders from all episcopal jurisdiction and the statutes of the orders were declared to be the only laws by which they could be judged. Thus the Holy See was provided with an army recruited from the faithful that was utterly invulnerable and was devoted exclusively to the service of the Church. The friars could penetrate everywhere and could safely serve as secret emissaries in the dominions hostile to Christianity. Human ingenuity could not have conceived a more efficient organization, for not only were the members of the orders inspired with profound convictions, but in addition their reputation for sanctity guaranteed them popular support and sympathy. Their power, when directed against temporal opponents was repeatedly proved, as in the case of Frederick II, the most powerful and dangerous enemy Rome had ever faced, and in order to raise funds to carry on the war between Frederick and the Pope the Franciscans even traveled to England and secured enormous sums by soliciting alms for the holy cause. Even when sixty of their number were executed by Frederick's orders it only added to the zeal of the others.

Also, in the cases of fugitives—either heretical or political—the orders formed an invisible network

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of police spread throughout Europe, and the mendicants alone were charged with the duties of tracking and locating fugitives from justice. But their special field of activity was the conversion and persecution of heretics—in short, the Inquisition. It was inevitable that this should have fallen into their hands, and even had the Pope not officially relegated the duties to the orders, they would of their own accord, and due to conditions, have monopolized them. The discovery and conviction of a heretic was no simple matter, even when heretics were swarming everywhere. But with no ties of locality, no fixed abodes, no cares of property, no interests in the world, the friars were ready to devote all their time and energies to the suppression of heresy; they were ready to march anywhere at a word, they were amenable only to their own leaders, and while it has been claimed that St. Dominic himself originated and established the Inquisition this is a grave mistake. To be sure he devoted the best years of his life to combating heresy, and if, after all moral suasion failed and an obdurate heretic was burned at the stake, merry, cheerful, kind-hearted Dominic watched him die with as little pity or compunction as any other zealot of the times. But the real, organized Papal Inquisition did not come into being until 1231, ten years after St. Dominic's death. Neither was the Inquisition an exclusive prerogative of the Dominicans as they and others have claimed. In fact there was no real founding or establishing

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of the Inquisition; it merely developed under the mendicant orders and, as conversion became less popular and persecution became the principal business of the Inquisition, its duties were divided almost equally between the Dominicans and the Franciscans. Still the earliest inquisitors, so-called officially, were Dominican friars, and in northern France the Inquisition fell almost exclusively into Dominican hands. In Aragon, as early as 1232, they were serving as inquisitors for the Archbishop of Tarragona, and in 1249 the Inquisition of Aragon was officially confided to them. Eventually southern France was divided between them and the Franciscans, as was Italy, and what little parts the Inquisition took in Germany and Austria were under the Dominicans, while the Franciscans looked after Dalmatia and Bohemia. At times, also, the two orders joined forces, for we find records of friars of both orders sitting in judgment upon heretics together. But the mutual jealousies and hatreds that began early in their careers and eventually proved a tremendous danger and a notorious scandal to the Church, prevented the two orders from working harmoniously together save in rare and isolated cases.

Even greater were the jealousies that were aroused in the other ecclesiastical circles by the power and the trust imposed in the orders. The clergy, accustomed to exacting fat fees from the public, in granting indulgences and to having things

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pretty much their own way, found themselves suddenly face to face with enforced poverty as great as the self-imposed poverty of the orders. No longer was it necessary for the faithful to pay for christenings, weddings, confirmations, burials, masses or other rites and favors rendered by the priests. The Dominicans and Franciscans asked no recompense; they preached everywhere, heard confessions, gave absolution, tended the sick, buried the dead, succored the unfortunate, aided the poor, administered medicines, even performed surgical operations free of all charges and with a cheerfulness, a happiness that won the hearts of all. Although they professed the humblest reverence for the bishops and the established priests, they felt it their duty to do whatever was needful, and before long they had practically usurped all the powers and the functions of the priesthood. As a result, the clergy lost no opportunity to make complaints of alleged injustices and of malpractices by the friars, and the orders retaliated by charging many a priest with heresy.

CHAPTER IV

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THAT the orders charged with the suppression of heresy and with conducting the Inquisition should have been given far greater powers than any other men, either ecclesiastical or secular, was essential. Although the crusades and wars had put an end to open armed resistance on the part of the heretics, yet they were even more numerous than before and the more difficult to discover. Of all crime, that of heresy was the most difficult to ferret out and to prove, for even when a suspect was apprehended there was no external evidence to prove guilt for, except in localities where their numbers gave them comparative safety, they were assiduous in conforming outwardly, at least, to orthodox customs and observances. Rarely was it possible to prove heresy except by the suspects' own admissions, and as torture was not yet popular, the ordeal was rarely resorted to. But as the friars could not, under pain of severe penalties, take part in the administration of any punishment or act that injured body or limb or drew blood, the inquisitors fell back upon their splendid organization, their secret knowledge, even upon the secrets of the confessional, and upon their

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influence with the people to bring heretics to repentance or to conviction. And being absolved from all rules, laws and restrictions except those of their own orders, they soon framed laws, rules and regulations that rendered them almost supreme in everything.

Among the rules laid down by the edicts were that those suspected of heresy were required to purge themselves under penalty of forfeiting religious and civil rights for one year, and if at the end of that period they had not purged themselves to the satisfaction of the inquisitors they were to be condemned as heretics. All persons refusing to take oaths before the tribunals were to be deemed, *prima facie*, heretics. Heretics of all sects were outlawed, and when condemned as such were to be delivered to the secular authorities for punishment. If through fear of death they recanted they were to be imprisoned for life. If they relapsed death was to be their portion. All property of a heretic was to be confiscated and his heirs disinherited. His children to the second generation were ineligible to any important position unless they won mercy by betraying their father or some other heretic. All defenders, receivers, advocates or even friends of heretics were to be banished forever, their properties confiscated and their heirs subjected to the same penalties as those of heretics. Those who defended the errors of heretics were to be regarded as heretics unless they mended their ways. The houses of

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heretics and their receivers were to be destroyed and never to be rebuilt. And while the evidence of a heretic was not valid in a court of law, an exception was made when a heretic testified before the Inquisition and his oath was held to be valid if directed against another heretic. All rulers and authorities were required to swear to exterminate all whom the Church might designate as heretics, under pain of forfeiture of office. The lands of any temporal lord who neglected for one year to clear them of heresy, after being ordered by the Church, were subject to confiscation. To crown all, the entire legal and military machinery of the state was placed at the command of the Inquisition, and all authorities were ordered to capture whomsoever the Inquisitors might charge with heresy and hold him in prison until the Church should condemn or free him. Strange as it may seem, these laws were never repealed and, technically speaking, they still remain in force at the present day. Nor did the Inquisition confine itself exclusively to the repression of heresy. It was deemed unlawful for any one not a priest or member of a religious order to possess any books of the Old or New Testaments, and failure to deliver up such books rendered the holder subject to a charge of heresy. Usury also came under the jurisdiction of the Inquisition, probably because usury was forbidden by the Bible and hence might be deemed heretical. And to prevent a heretic or another from leaving property to a heretic no

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will was legal unless made in the presence of and witnessed by a member of the Inquisition.

At first the Inquisition was a rather loose-ended affair, a rough and ready sort of court held anywhere and at any time by one or more members of the orders and without the coöperation of local authorities, secular or ecclesiastical. But by the close of the thirteenth century and even before, it had become very thoroughly and efficiently organized. Not caring to impress the people with magnificence, but to fill them with terror of its power, the Inquisition depended upon mystery and secretiveness more than upon pomp and ceremony. Its members retained the simple habits of their orders. When an inquisitor appeared in public he was either alone or accompanied by a few armed guards or "familiars"* and his commands and his decisions were issued from within the dread portals of the Holy Office. Everything was planned and designed to surround the Inquisition with fear and with mystery, and the awe created in the public mind was far more potent than any showy and imposing procession or the magnificent retinue of some high dig-

*Armed guards of the inquisitors. The employment of these men led to many abuses, to ill feelings, to complaints to the popes and in some cases to open revolt. At this period only the nobility and their troops were legally permitted to bear arms. But the "familiars," usually drawn from the lowest classes, freed from all processes of secular law by their association with the Inquisition, and armed, were a menace to the peace and even the lives of the inhabitants. They carried on a high-handed form of banditry, committed crimes of every description and terrorized the country until drastic measures were taken to limit and control them.

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nitary of the Church. The Inquisition was made for results and not for show. It was built up by earnest, resolute, steadfast, fearless men who knew what was wanted and who made everything subservient to that one end, and whose entire efforts were devoted to dealing out unerring, ruthless justice for what they felt was the crowning sin of mankind and the most awful evil of the human race.

Although each chief town of every province was regarded as the seat of the local Inquisition, yet it was the inquisitor's duties to go abroad on his search for heretics, to visit every spot where heresy was reported or might exist, and to order the people to assemble, with an indulgence of twenty to forty days as an inducement. Heretics were not expected voluntarily to come forth to be tried, and they could not be summoned unless the safety of the friars was jeopardized in visiting the localities. So, legally at least, the mountains were compelled to go to Mohammed. Hence these visitations were most important and impressive, especially as the country was riddled with spies and secret agents of the Inquisition. We can well imagine the sinking of hearts, the terror, the trembling in shoes that must have taken place whenever the warning of an impending visit of an inquisitor was announced. No one could know who might be accused, who might be betrayed, and once a person was accused his doom was as good as sealed. To be sure, the visiting friar merely preached to the people gathered at his orders, ex-

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pounding the true faith, urging them eloquently to defend it, decrying heresy, and summoning the people to come forward within the next six or twelve days, as the case might be, to reveal whatever they knew or had heard of any one whose actions or speech might lead to the suspicion of heresy. Then he reminded the awed and terrified listeners that neglect to comply with his orders incurred *ipso facto* excommunication, removable only by himself, while compliance would be rewarded by a three-years' indulgence. However, there were no threats of punishment or death for such as admitted heresy and repented. There was a "grace" of from fifteen to thirty days granted, during which period any heretic who came forward confessed, abjured his heresies and gave full information about his fellow heretics would be shown mercy. But what the "mercy" would amount to was never mentioned. That was entirely at the discretion of the inquisitor, and it might vary from complete forgiveness to imprisonment, exile or confiscation of property in place of death, while quite frequently mercy was shown by sentencing the repentant heretic to several pilgrimages to distant shrines, the supporting of a beggar for life (a worthy penance) or a fine. But once the period of grace had passed, the people were warned that no mercy might be expected. Naturally, this brought about several desirable results. A penitent heretic was another soul saved to the Church, the information of others that he gave was

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of the utmost value in prosecuting his fellows, and finally it saved the inquisitor a great deal of time and trouble and relieved him of the often unwelcome necessity of practically condemning a fellow man to a terrible death.

But on the other hand it was a most underhanded and despicable means of practically forcing men and women to betray one another, and was destructive of all moral sense, all honor and all family ties. No one could know who might name him as a heretic or a suspect, what personal spite or malice or jealousy might lead to a denunciation. All the petty ever-present scandals and gossip would be twisted and turned into damning suspicions, grudges could be gratified in safety, all confidence between man and man, all intimate knowledge of man and wife, of parents and children, might be used to betray. Even if men or women were absolutely innocent the fear of being betrayed as heretics might and often did force them to confess to heresies, to betray others and to endure severe punishments rather than take the chances of being unjustly accused by others. Each revelation led to more, until the invisible net extended far and wide and no one knew when or by whom he had been accused.

At last, having secured the confessions, the admissions and the lists of accused and suspected persons, the inquisitor would continue on his way, after ordering the suspects to appear before him at a specified time, or taking them along as prisoners—

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the secular authorities being compelled to supply guards and transportation—and would eventually return to his inquisitorial seat where the travesties of trials and the judgments would be carried out. Usually the trials were conducted by a single inquisitor with subordinate assistants who acted like present-day solicitors and prepared the papers and arranged the details of the cases. As absolute secrecy was the main feature of all trials it was the rule to take all testimony, either of accused or of witnesses, in the presence of two “impartial” men sworn to secrecy. Any one might be summoned for this duty, but as a rule the men selected were friars of the inquisitor’s own order who scarcely could be deemed “impartial.” No one else was allowed to be present at the trial, so that with this exception the poor defendant who was wrestling for his life was wholly at the mercy of the inquisitor.

However, it must be admitted, even by the most anti-Catholic, that in the earlier days of the Inquisition the inquisitors seldom took advantage of this but honestly tried to be just, to weigh the evidence fairly, and to be very sure of the heresy of the accused before passing judgment. Of course there were exceptions—human nature was much the same then as to-day—and some inquisitors, regardless of what their honest intentions may have been, were so prejudiced and so fanatical that once a person was brought before them on a charge of heresy his doom was sealed. As the burden of evidence was



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on the defendant and the accused was deemed guilty until he was proved innocent, and as a single word, act or thoughtless remark might be deemed to constitute heresy, there was little chance of an accused person escaping conviction and some penalty even when tried by the fairest and most broad-minded of the inquisitors. Our courts of law to-day are bad enough, but we can scarcely conceive of the position of a person haled before the Inquisition even in the days before it had become corrupted, abused and transformed into a systematized machine for extracting money from its victims. No person was permitted to know who had lodged complaints or information, and if by chance he guessed the informer's name and the latter were a heretic, it was regarded as *prima facie* evidence of the heresy of the accused.

Every statement, every question and answer was taken down in writing, and all witnesses and the defendant were obliged to confirm their statements when the testimony was read to them, so that any slip of a tongue or a statement that could be misinterpreted might readily prove a death sentence. Moreover, it was by no means safe for a witness to testify favorably for the accused. By a peculiar form of reasoning and perverted logic, the inquisitors held that any one giving favorable testimony for a suspected heretic must have heretical tendencies, or be at least a friend of heretics, and under the law, a friend of a heretic, a person who—even

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in ignorance—sheltered a heretic, a person who listened to or conversed with a heretic, or a person who, quite inadvertently, happened to be in company with a heretic, even if in a public house or a public conveyance, was liable to conviction and sentence as a heretic. Also, no matter how completely he might prove his devoutness to the Church, even if it was proved that the accused attended Mass regularly, made confession, said the stipulated prayers and in every outward way showed his orthodoxy, even this did not prove innocence nor even necessarily cast a doubt on his being a heretic at heart. To the inquisitor external acts were merely indications of belief, to be rejected or accepted as he saw fit. He reasoned that heresy was purely a mental crime, and a man might admit or confess to theft or even to murder without fear of punishment by the Inquisition, and yet by a single word or a failure to give a satisfactory answer to some involved and craftily-worded query, condemn himself to the stake. The inquisitor's business was to judge the soul, not the man, and only omniscience could have justly solved the problems that were presented. In vain the inquisitors—or at least the really honest and conscientious ones—sought to find some means of distinguishing a heretic from a nonheretic. Some claimed that the pallor of a person revealed heresy, and many were condemned out of hand because, through fear and nervousness, they turned pale. And we must not forget that many persons charged

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with heresy were scarcely more than children, for according to the rules of the Inquisition, any male over fourteen and any female over twelve could be charged and brought to trial. What chance then would such children have when facing a learned, astute, crafty and prejudiced man bent on hitting upon some word, tone, hesitation or admission that would prove to his cunning mind that the youthful defendant was a heretic at heart? Even younger children were often charged with heresy. In some districts ten-year-old boys and nine-year-old girls were deemed liable; in other places seven-year-old children were amenable to trial for heresy by the Inquisition, and even in the Latin countries, where no one under twenty-five had a standing in court, the Inquisition evaded this limitation by appointing a "curator" under whose shadow the child could be tortured and condemned. It was impossible to escape by absenting oneself or seeking safety in flight. Failure to appear when cited was tantamount to admitting heresy, and so widespread was the Inquisition, so complete its records and its secret agencies, that it was hopeless to attempt to find concealment or to evade the Inquisition's agents.

Very often, too, the name of the accused would be withheld when the inquisitor presented his case and passed sentence, the prosecutor merely saying "that person is to be abandoned to the secular arm, so that our judgment may come from the face

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of God and our eyes may see justice.” In most cases the trial must have been little more than a farce and the proceedings merely formalities, for there are records of thirty to fifty cases being disposed of within forty-eight hours.

Although the inquisitors together with their assistants, conducted the cases in so far as the examination of the accused and the taking of testimony were concerned, yet they were supposed to summon experts in canon and civil law for consultation and to pass on the merits of each case when all the evidence was complete. Usually these men were ecclesiastics and members of the same order as the inquisitor, and as they felt their duties—for which there was no recompense—rather arduous, it was the custom to allow a large number of cases to accumulate to be passed upon at one time, thus accommodating the councilmen who could convene on one day of the week to consider all the grist of the inquisitorial mill for the preceding six days. Naturally, with only one day in which to pass upon so many individual cases, there was no time for serious deliberation or weighing of evidence. To be sure, once in a great while, differences of opinion were expressed, and sometimes special cases—usually those of prominent or influential men—were postponed for greater deliberation. Still, on perusing what records remain to us, we must be convinced that—at least in the earlier days of the Inquisition—these men really felt their responsibilities. Yet

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so many cases came before them that it was impossible to consider each case separately, and it became customary for them to condemn all who might reasonably be considered guilty to be imprisoned, and to leave the terms of imprisonment and subsequent punishments to the inquisitors and the secular law.

Occasionally rather remarkable incidents arose in which the council not only passed upon the merits of a case, but took upon themselves the right to enact special legislation to suit a case. Thus, in an assembly convoked by Henri de Chamay at Beziers, May 19, 1329, thirty-five experts were present to pass upon the case of a Franciscan friar, Pierre Julien. All agreed that the evidence presented proved the friar a relapsed heretic, but many were disposed to show him mercy. After a long debate no agreement was reached, and they were told by the inquisitor to take a recess and meet again in the evening. But they were no nearer a decision then and they evaded the issue by cleverly proposing and passing a rule of procedure that provided that the only person capable of passing sentence on a friar was a bishop. As no bishop was available the meeting was again postponed. Even when the experts were threatened with excommunication unless they gave their opinions, the decisions, when taken down in writing, varied from simple purgation to abandonment to the secular authorities, so that in despair the council was dismissed and the prisoner was held until he could be brought before

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a special *auto-da-fé* in another district. This is, in fact, about the first record of a "hung jury." As a rule, when there were differences of opinion, a threat of punishment from the inquisitor would result in a unanimous verdict. Still more amazing, and proving how hopeless was the case of the public, was the habit of these experts at law of passing judgment upon persons whose names did not even appear in the lists of prisoners, and of penalizing witnesses and others for matters with which nobody had been charged. At one assembly at Pamiers there were five defunct persons sentenced, only two of whom had been named in the proceedings, and on another occasion, a woman, Ermessemde, who had been called only as a witness, was sentenced to imprisonment in chains because, in the judgment of the experts, she had borne false witness!

The simple convoking of these legal advisors that took place on any day named by the inquisitor, became, in time, an impressive, stately and awe-inspiring ceremony. Sunday became prescribed for it, although it was forbidden on Advent Sunday or other principal feast days. Notice was given from all the pulpits in advance, the public being ordered to attend under pain of severe penalties and promised as reward a forty-days' indulgence. A special staging was erected in the center of the church on which the "penitents" were placed in the midst of the secular and clerical officials. A sermon was then delivered by the inquisitor, after which the oath

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of obedience was administered to the civil authorities, and a solemn decree of excommunication was fulminated against all who by act, deed or word should in any manner impede or try to impede the operations of the Inquisition. Then the notary proceeded to read the confessions of those who had seen fit to admit heresy, and as each was finished the culprit was asked if he or she acknowledged the transcript to be true, though care was taken that this was done only when the accused was known to be truly penitent, for a denial was regarded as scandalous and casting discredit on the honesty and justice of the inquisitor. When the penitent replied in the affirmative he was asked if he would repent or would lose body and soul by persevering in heresy, and upon expressing his desire for abjuration, the form was read and he repeated it. Thereupon the inquisitor absolved him from *ipso facto* excommunication, which he had endured while a prisoner, and promised mercy if he behaved well under the sentence about to be imposed upon him. The inquisitor then imposed the penalties for penitents, and which ranged from saying prayers to wearing badges of disgrace, carrying crosses, scourging, pilgrimages and imprisonment. Finally, those who had refused to repent, who had relapsed or who had denied their confessions, were turned over to the secular authorities. The ceremony was then transferred, with an imposing procession, swinging censors, chants and prayers, to the public

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square or market place where a platform had been erected for the purpose, the law prohibiting the shedding of blood or taking of human life within the precincts of a church. For the same reason the executions could not be carried out on the same day, Sunday, but must be postponed until the next day, a form of refined torture difficult to duplicate, although it was alleged by the Church that the delay was, in reality, an act of mercy to permit the condemned to repent so that their souls might not pass from temporal to eternal flame. But great precautions were taken to prevent the prospective victims from speaking to any one lest public sympathy be aroused by their assertions of innocence.

It is not difficult to visualize the scene and the effect upon the public mind produced by these terrible functions. At the mere bidding of the inquisition the greatest and most powerful in the land came humbly and in fear to take the oath of obedience and to witness the punishment of their fellow men. And the grimness, the solemnity, the inexorable power of the inquisitor and his fellows, as each trembling, white-faced person was brought before them for a sentence they had sworn to endure without protest, struck terror to the onlookers. Each, in his imagination, saw himself upon the platform, each shuddered and drew away from his neighbor with distrust in his eyes, fearing betrayal or false accusation, and no man or woman dared raise a voice nor even exhibit pity or sympathy,

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even though witnessing the sentencing of a loved one, a child, a parent, a husband or a wife. Sometimes, when there were a number of cases, the ceremonies lasted for nearly a week, as in the great *auto-da-fé* of Toulouse held by Bernard Gui in April, 1310, when the last unfortunate was not disposed of until four days after the first act in the awful drama. Throughout those terrible four days the public gathered in the public square and watched, breathlessly, silently, as friends, relatives and dear ones were subjected to the penalties imposed for the slightest infraction of accepted orthodoxy. Twenty penitents were condemned to wear crosses and to perform terrible pilgrimages, sixty-five more were consigned to lifelong imprisonment, three of them in chains, and eighteen were sentenced to death and were burned at the stake in view of their fellows.

In the ceremony held two years later, in April, 1312, fifty-one were sentenced to wear crosses, eighty-six to imprisonment, and five were burned at the stake. In addition, ten deceased persons were pronounced worthy of prison and their estates were confiscated; the moldering bones of thirty-six were ordered exhumed and burned; and five absentees were condemned to death for failure to appear before the inquisitor.

It may appear incredible that the Inquisition should have tried the dead, as well as the living, for heresy, and that penalties should have been inflicted upon their remains. But to the representatives of

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the Church, at that time, it was just as important to impose a fitting punishment upon a person who had died a heretic, and had thus cheated the Church, as it was to punish a living being. In fact the clergy considered it even more important. It appeared to them intolerable that one who had successfully concealed his sins and had died in communion should be permitted to remain in consecrated ground and should be aided by the prayers of the faithful and devout. Not only had such men escaped the due penalty for their sins, but their property, which legally was forfeit to the Church, had unlawfully fallen to their heirs and must be recovered. Also, it could not be expected that any pious priest could endure the thought that the bodies of heretics polluted the sacred precincts of the Church and cemetery and that, unwittingly, he was including them in his prayers for the dead.

As far back as the third century it had been a custom to excommunicate dead heretics and pagans, but later, prominent divines had argued that in so doing the priests and prelates were interfering with the judgment of God and that the Church had no power over the soul, once it had left the body. Still, the practice continued despite unfavorable opinions and arguments, until 1100, when St. Ivo of Chartres ruled that the dead could not be condemned, and burial could not be refused those who had not been tried while living. But the Inquisition found a way as it found a way to almost anything that aided it

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to stamp out heresy. It had been a time-honored rule of the Church that all excommunicants and heretics who did not repent and apply for absolution within a year were thereby self-condemned. Hence all heretics who died without confession or recantation were, *ipso facto*, guilty; no trial was needed, and they were ineligible for burial in consecrated ground. This being the case, if they had mistakenly received Christian burial, it was the duty of the Church to have them dug up and destroyed. The Inquisition in their case was merely an examination into facts, not a condemnation, and the penalties were automatic. This became a firmly established principle and it was recognized as a serious offense to wittingly bury a heretic or a fautor * of heretics. Such an offense could only be forgiven on condition that the person who buried the deceased should exhume him with his own hands. Even then the grave remained forever accursed, and a very large part of the work of the Inquisition consisted of judging the cases of deceased persons, many of whom had been dead and buried for years, who had been accused, denounced or named as having been heretics during their lives.

This was not, however, either new or original with the Inquisition. As early as 897, Stephen VII disinterred the body of his predecessor, Pope Formosus, who had been buried for seven months. He

* Fautor of heresy: Any one who shielded, aided, approved or abetted a heretic or heresies was deemed a fautor or favorer of heresy.

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then had it dragged by the feet to the synod which he had convened. There, after having solemnly condemned the body, he ordered two fingers to be cut from the right hand, after which it was thrown into the Tiber. By chance, however, the mutilated body was found and quietly reburied. But eight years later, in 905, Sergius III decided the poor, long-dead Pope had not been sufficiently punished for the sins he had committed during life. So once more the body was exhumed, it was clad in full pontifical robes, seated upon a throne, and again solemnly tried and condemned and sentenced, after which the corpse was duly beheaded, three more fingers were lopped off and the body was again thrown into the river. All this was horrible and ghoulisn enough but the later Inquisition went even farther. In 1237 the inquisitor at Toulouse caused the bodies of a number of nobles and others to be dug up, after he had declared they had died as heretics. An eyewitness of the scene, one, Guillem Pelisson, vividly described how the "bones and stinking corpses" were dragged through the public streets preceded by a herald who blew upon a trumpet and proclaimed, "*Qui aytal fara, aytal perira*" ("Who does so shall so perish"), until at length the remains were burned in the market place.

In another account written in 1323 we are told that it cost five livres, nineteen sols and six deniers for labor to dig up the bones of three dead heretics, to pay for a sack and cord in which to stow them,

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and to hire a horse to drag them to the plaza where they were duly burned.

To prevent any possibility of dead heretics—or portions of them—being buried after having expiated their sins at the stake, the bodies of the victims, charred and roasted as they were, were sedulously torn apart, the viscera removed, the bones broken, and the various fragments of anatomy reduced to ashes in a special fire. Even then the zealous inquisitors feared that by hook or by crook the remains might find rest in the earth, and to render such an enormity impossible the ashes were carefully gathered and cast into a running stream.

To us, the sentencing of dead persons, the desecration of graves and bodies, seems inexpressibly revolting and the most incredible and ridiculous travesty on justice and decency. But to the people of the times it was even more terrible and awe-inspiring than the execution of living persons, and proved to them how impossible it was for a heretic to hope to cheat the Church or to befool the Inquisition.

In this persecution of the dead, the heirs or those who were friends or acquaintances of the deceased, were summoned as witnesses. And as the children, heirs and friends of a heretic were adjudged suspects and were subject to discipline and confiscation of property, their position was far from enviable. It was hard enough to establish the innocence of a living person, but there was not one chance in a

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million that the innocence of the dead could be proved. And if not, the witnesses condemned themselves. If they admitted that they had known or even suspected the dead man was a heretic in life they were guilty of a grievous crime. If they proved themselves in ignorance and yet had had a hand in burying the heretic, they were liable to conviction, for ignorance was no excuse. And to persist in a denial of the charges was suicidal, for such a procedure was deemed obstinacy and an attempt to impede the Inquisition, and hence punishable by death at the stake. Occasionally the bones of the accused dead might be saved from utter destruction and his soul "absolved" by his relatives and friends claiming he had been mentally irresponsible at the time of his death, and so unable to confess and repent. But even so this excuse, when accepted, did not save the property and estates of the deceased from being confiscated.

Living or dead, there was no escape for the heretic or the suspected heretic, and even in cases where no heresy was proved the verdict was never "not guilty" but "not proved guilty." Neither were such fortunates discharged as free and innocent men. Their cases were merely "extended," they were ceaselessly under the surveillance of the Inquisition and its agents, and at any time the inquisitor could summon them and continue with their trial as if it never had been left off. Once a person fell under the suspicion of the Inquisition he was en-

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veloped in a net from which there was no escape, and the more he struggled the more tightly was he entangled in its meshes.

Bernard Delicieux, that fair-minded, outspoken friar who dared express his views, said no more than the truth when he declared: "If St. Peter and St. Paul were to be accused of 'adoring' heretics and were persecuted by the Inquisition, there would be no hope of defense nor escape for them. Questioned as to their faith they would reply like masters of theology and doctors of the Church. But when told they 'adored' heretics, and they asked what heretics, names common in their vicinity would be given but all other particulars would be withheld. If they asked for the time and place, no facts would be supplied, and if they demanded to know the names of those accusing or bearing witness against them their request would be refused. How then could the holy Apostles defend themselves when any one who aided them would be judged as a supporter of heresy?"

If a leading member of the priesthood thus admitted that the Apostles of Christ could not hope to escape condemnation if tried for heresy what chance had the ordinary man?

CHAPTER V

HOW THE MACHINE OPERATED

WITH such an organization as the Inquisition, in the hands of zealous, sincere and implacable sons of the Church, it seems nothing short of amazing that heresy should have persisted for more than a short time. Yet instead of being effectually and completely stamped out, several widespread heretical beliefs successfully opposed the almost unlimited powers of the Inquisition for centuries, and some were never destroyed, but paved the way for the much later Protestantism.

This was not due to lack of effectiveness on the part of the inquisitorial organization which was unhampered by any limits, either judicial or ecclesiastical, nor to any relaxation of its unremitting vigilance and persecutions. On the contrary, the Inquisition constantly increased its scope and its powers, until there were inquisitors in such far distant spots as England, Ethiopia and Bulgaria, while in central Europe there was such a multiplicity of tribunals everywhere that there was no resting place, no refuge for the heretic in any land under Christian dominion.

Every suspicious-appearing stranger would be

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observed and arrested. By means of the vast accumulation of data in the hands of the Inquisition, his birthplace and his antecedents would be ascertained. He might change his abode, he might take an assumed name, but the agents of the Inquisition would be upon his trail. And if the Inquisition saw fit, and a town or a village was suspected of harboring unknown heretics, every member of the community would be summoned to appear before the tribunal, would be forced to abjure heresy, and would be subjected to a searching interrogative process that would put our most adept cross-questioning attorneys to shame. In 1245, and again in 1246, Bernard de Caux and Jean de Saint-Pierre did just this, and two hundred and thirty of the inhabitants of the tiny town of Avignonet, one hundred of the village of Fanjeaux, and four hundred and twenty from Mas Saintes Puelles—the total populations other than infants and the senile—were interrogated and forced to reveal all they knew—or imagined—as to the heretical tendencies of their neighbors. Moreover, the offender or suspect who absented himself when cited thus rendered himself at once guilty of contumacy, an unpardonable offense, and hence only made his case the worse, at the same time destroying all hopes of mitigating his sin or of proving himself innocent; for he would be tried and condemned without appearing, his act in failing to appear being regarded as *prima facie* evidence of his guilt. And the moment this was

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done and his case was referred to the civil authorities, he had the temporal as well as the religious sleuth hounds on his track.

All the safeguards that, from time immemorial, human experience and laws had come to regard as necessary to judicial procedure, were ruthlessly cast aside by the Inquisition. Reputation, behavior, the most exemplary life, counted for nothing. Every doubtful point was regarded as in favor of the Inquisition, and the inquisitors based their arguments and the stand they took on the assumption that they represented God Almighty. They declared that as God was the first inquisitor and condemned Adam and Eve in secret and without the use of courts or jurists, He set the model the Inquisition was bound to follow in order to avoid the subtleties which might be whispered to the criminals by the crafty serpent. Although we of to-day may look upon such an assumption as little short of blasphemy, it at least serves to show how seriously the inquisitors regarded their part, and how sacred they felt their power and their duties. Naturally, when human beings feel themselves actually and by divine right occupying the place of God upon the Judgment Seat, there are no limits to which they will not go, no power they will not abrogate to themselves. The accused was prejudged, common report or gossip was proof enough, surmises took the place of proof, and about the only escape from death or worse was to confess to charges of which the accused might be

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innocent, profess repentance and submit with as good grace as possible to the penances imposed. Of course this led to the destruction of the validity of oaths, the destruction of moral obligations, and a rapidly increasing disregard for the sacredness of the confessional and of absolution. When men's lives depend upon lying or confessing falsely, few are courageous enough or meticulous enough to choose death in its most horrible form. The rules of the Inquisition, as regarded judgments, were very simple. If a person was caught in heresy by his own confession and was impenitent, he was worthy of being burned. If penitent he might be mercifully (?) imprisoned for life. If he denied his guilt and witnesses testified against him he was an impenitent and worthy of death. Only those who voluntarily abjured heresy and repented could be shown any mercy, and if a penitent was accused a second time it required little if any evidence to convince the inquisitor that he was a relapsed heretic and so beyond anything but the stake.

Yet, to the credit of the majority of inquisitors be it said, most of them earnestly tried to sift the truth from the false and to be just, for it was a far greater triumph to save a soul—even at the eleventh hour—than to destroy it together with the body. Not only was a repentant soul thus snatched from the very grasp of Satan, but the new convert could be counted upon to prove his sincerity by denouncing all his former heretical friends, or those he sus-

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pected, thus opening new channels for the suppression of sin. In fact it was a recognized tenet of the Inquisition that a converted or reclaimed heretic *must* denounce his accomplices and friends as an indispensable evidence of true conversion. Without so doing he was deemed unrepentant and was delivered to the secular authorities for execution. The extent to which this system of betrayal under pain of death was carried out is proved by the case of Saurine Rigaud whose confession, made in 1254 at Toulouse, contained the names of one hundred and sixty-nine persons enumerated by her as "suspected." The opposite side is well illustrated by the case of Guillem Sicrede who was abjured and reconciled in 1262. Yet, fifty years later, in 1311, he was present at the deathbed of his brother where the heretication was performed, and though he vainly objected to the rites, he failed to report them. As a result, he was haled before the Inquisition, and though he testified that his sole reason for not betraying what he knew was to safeguard his nephews, he was sentenced to imprisonment for life and was lucky to escape the stake. The Inquisition went even further. It declared that all who voluntarily betrayed their fellows were to be pardoned for sins and their livelihood secured at the expense of princes and prelates, while betraying one "perfected" heretic insured immunity and reward. In this way every man, woman and child became a secret paid spy of the Inquisition, and any grudge, any spite,

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any malice could be satisfied to the full by naming another as a suspect or a heretic. A man tiring of his wife or a wife tiring of her husband had merely to betray the other to the Inquisition. A person coveting another's possessions could secure a portion of the property by betraying the legitimate owner as a heretic.

And heresy could be twisted and interpreted to include almost anything. Adultery was heresy because forbidden by Scripture. Usury was heresy for Christ denounced the usurers and money changers. To question any word, any statement of a priest or any doctrine or interpretation of the Church was heresy. Free thought was suppressed and was deemed heresy. To read the Old or New Testaments was heresy, for they were solely for the use of the Church. To question the justice or the act of an inquisitor was heresy, and there is one record of eighty orthodox priests having been put to death because they complained of the violence of an inquisitor. A ruler who failed to ferret out and deliver heretics in his district became guilty of heresy thereby. Failure to swear to betray heretics was heresy. Sorcery, magic, the possession of talismans or charms all constituted heresy. To have partaken—even in ignorance—of food sold or prepared by a heretic was heresy. To rent a house or lands to a heretic, even if he was not known as such, was heresy. Merely entering a house wherein a heretic dwelt was proof of heresy. Giving alms

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to a heretical beggar made the giver a heretic himself. How flimsy was the evidence needed to convict is proved by many cases still on record. Thus, in 1234, Accursio Aldobrandini, a Florentine merchant in Paris, became acquainted with several strangers with whom he conversed on various occasions. Also, he bowed to them on the street, recognized them in public, and once gave their servant ten sols. Fortunately for him he discovered that his friends were heretics before the Inquisition heard of his acts, and fearing for his life he hurried to Rome and confessed all to Pope Gregory IX who released him under bail and turned him over to the Bishop of Florence. No doubt he was a man of great wealth and influence in his home city, and eventually he was absolved after doing penance, the Inquisition holding that he had proved his good faith by confessing to the Pope. Yet another unfortunate, who was invited to embark in a boat to shorten a journey, and who later learned the boatmen were heretics, was judged guilty of heresy and condemned to imprisonment.

Another factor that made the inquisitorial trials more unjust was that in all of a long series of interrogations not a single question would be asked regarding the orthodoxy or beliefs of the accused. He had no opportunity to point out or to prove his faith. All the energy of the inquisitor was directed towards obtaining statements of heretical acts, and all the energy of the accused was required to dis-

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prove the allegations. Even if it were accidentally brought out that the suspect was, in all known and visible ways, an orthodox Catholic, a single blasphemous word, a single suspicious and inexplicable act or remark might condemn him. Moreover, while it was assumed and usually held that two witnesses were essential to prove the guilt of a man of high standing or good repute, this was twisted about so that if two witnesses to the same facts could not be found two single witnesses to two separate facts sufficed. And one witness was usually enough to condemn a peasant or a man of doubtful character. Also, if a witness revoked his testimony, it was held that if his evidence had been in favor of the accused the retraction annulled it, whereas if the first testimony had been damaging to the accused it could not be retracted. Neither did the character of the witnesses count in the least. Roman law rejected the evidence of accomplices and of persons of proven evil character, and the Church had adopted the same rule, holding that no testimony should be considered when given by a heretic, a suspect of heresy, an excommunicate, a murderer, a thief, a sorcerer, an adulterer, a ravisher, a bearer of false witness or a consulter of astrologers, soothsayers or magicians. Yet the Inquisition cast aside these prohibitions and held that the testimony of any one and every one was of equal value when against heretics, arguing that while the testimony of heretics was not admissible in civil courts, it held

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when directed against other heretics. This was, of course, to be expected, and was essential to the success of the Inquisition, for without a heretic to condemn a heretic—a thief to catch a thief, as we might say—most of the cases would have fallen to the ground.

In the same way, although the secular law held that no testimony of a person under certain ages of discretion, and unable to understand the meaning of an oath, was admissible, the Inquisition ruled that any child who had learned the Creed, the Paternoster and the Salutation of the Virgin and who had been made to attend church, could give testimony against a heretic. When the heretical nest at Montsegur was raided by the Inquisition in 1244, one of the star witnesses for the inquisitor was a ten-year-old child named Arnaud Olivier. He admitted having been a Catharan “believer” and thus was deemed responsible, and his evidence valid. Upon his testimony the Inquisition convicted the child’s father, sister and seventy other persons, while he supplied the names of sixty-six others who, he claimed, had been present at a heretical sermon more than a year previously! Surely a most marvelous memory did the child possess!

Wives, servants or children of an accused person were not permitted to give favorable testimony, but their adverse testimony was welcomed and was considered of the greatest value. In fact the only testimony of an adverse witness that could be ques-

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tioned was that given by one accused of malice. If it could be proved that the witness was a mortal enemy it was presumed that his testimony might be actuated more by hatred than by religious zeal, and it was then thrown out. But it was not an easy matter to convince the tribunal that a person *was* a mortal enemy. In the first place, the accused was not permitted to know the name of the witness. If he alleged malice, he was asked to name those who were his enemies. And if he failed to guess right he was in a worse fix than before, for he was liable to be convicted of making a false statement under oath. The accused was not permitted counsel, and even had he been he would seldom, if ever, have found a lawyer to defend him, for a lawyer or any one else who argued in favor of the accused or asserted his innocence thereby rendered himself liable to trial for heresy. Neither was the accused allowed to summon witnesses in his own behalf except where he alleged enmity on the part of the accusers, and as I have said, he had first to guess at random as to who might have brought the charges or who might have testified against him. Thus, in the Inquisition of Carcassonne on June 19, 1252, P. Morret alleged that he had been accused by enemies and named five persons. Unfortunately he did not guess any who had appeared and he was duly convicted and sentenced. Again, two years later, in Carcassonne, Bernard Pons alleged malice and named his wife as an inimical witness. Obviously

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he hit the nail on the head, for the trial was held up to determine whether or not the enmity of Madame Pons could be deemed "mortal." Various witnesses were examined and it was conclusively proved that she was a woman of notoriously loose character, that she had been taken in adultery by her husband, that he had administered a beating for it, that she had frequently declared she wished her husband dead so she could marry a man named Pug Oler, and that she would willingly become a leper if by so doing she could encompass her husband's death. Very evidently, however, the inquisitor did not feel that such acts and remarks constituted proof of "mortal enmity," and poor Pons was sentenced, though perhaps we should not waste too much sympathy upon him, for death may have been preferable to life with Madame Pons.

But there is a brighter side to the case. There were many conscientious judges who held that it was better to let the guilty escape than to convict the innocent, and who took the utmost care to sift the evidence and to listen to all sides of the story. Thus we find Bernard Gui, in 1312, carefully investigating the case of Pons Arnaud and his son Pierre. The elder Arnaud had accused his son of attempting to have him hereticated when apparently mortally ill. Pierre, however, denied it, and Bernard, upon investigation, found ample proof that the father had not been ill at the alleged time, and that no heretics were in the neighborhood. Faced with

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this evidence the father confessed he had cooked up the accusation out of malice.

Similarly, Henri de Chamay, Inquisitor of Carcassonne, in 1329, traced out a plot to ruin a perfectly innocent man, and as a result, forced five false witnesses to confess to their guilt.

To offset such abuses that were possible and common under the system of the Inquisition, is the fact that no mercy was shown to false witnesses, once they were detected. The treatment accorded them was as severe as that dealt the heretics themselves. The false witness was forced to wear continually for life, four pieces of red cloth in the form of tongues, two on his breast and two on his back. He was publicly exhibited at the doors of the church during service on every Sunday, being placed on a scaffolding where all might see him and his disgrace, and he was often sentenced to life imprisonment, the precise sentence varying with the extent of his crime. Six, among whom were two priests and a clerk, sentenced at Pamiers in 1323, were compelled to wear the badges of perjury and to be publicly exhibited, but were not incarcerated. Four others, sentenced at Narbonne in December, 1328, were condemned to the severest form of life imprisonment with chains on hands and feet and a diet of bread and water, while seven others (of whom one was a notary) sentenced at Carcassonne in September, 1329, were condemned to various terms in prison. Moreover, in addition to their disgrace and other

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penalties, false witnesses were forced to make good any damages accruing the falsely accused, and if there were no other assets available their properties could be confiscated for his benefit. So, after all, there was fairness and justice at times.

And we must not assume that all inquisitors were cruel, vindictive nor wanting in mercy. Such men as the Dominican, Fra Giovanni Schio, were filled with boundless love and good will towards their fellow beings. Repeatedly his eloquence, his pleas for peace and his gentleness swayed thousands, and in 1233 at Bologna, he induced the hostile factions to throw down their arms and swear mutual forgiveness and peace. The same success was his at Padua, Treviso, Feltro and Belluno. He was made the arbiter of the various factions and given free rein to alter the political organizations for the sake of peace, and on the plain of Paquara near Verona his fervor led to the multitude proclaiming a general pacification. Yet, in the rôle of inquisitor at Verona, he caused sixty men and women to be burned at the stake in the public square. Many of them were of the noblest families of the city, but all had been condemned as heretics. Yet the act was not one of cruelty nor malice nor vindictiveness. He would have burned his own father or mother as quickly had they been judged guilty of heresy, for, like all of his order, he had been taught to believe that compassion for the suffering of an established heretic was not only a weakness but heresy

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in itself. He might as well pity Satan and his demons writhing in hell. He believed absolutely that if a just and omnipotent God wreaked dire vengeance upon those creatures who offended Him, it was a sin for a man to so much as question the righteousness of His ways. According to his teachings and beliefs, it was a Christian duty to find pleasure in the anguish of a heretical sinner, just as the earlier clerics had taught, with scriptural support, that the bliss of the blessed in Heaven would not be fulfilled unless they could amuse themselves by gazing across the abyss and watching the tortures of their erring brethren in the eternal fires of Hell. Very probably there was something of symbolism in the holocausts of heretics. To burn a sinner was an ocular example of what others might expect to suffer in Hell, while finally, the righteous-minded all believed implicitly that in persecuting heretics they were conducting a most meritorious work of charity for the benefit of the persecuted.

Their attitude was, in fact, very much like that of the tender-hearted parent who, with tears in his eyes, and declaring it hurts him more than the youngster, proceeds to administer a thorough thrashing for the good of the child's soul and body.

Moreover, we must remember that the burning of condemned heretics met with the full approval of the public. Naturally, friends and families of those to be executed were torn with anguish and

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horror and were broken-hearted, just as the friends and families of condemned murderers or thugs of the present day feel when those they love are put to death on the gallows or in the electric chair. But the others, the public at large who were true followers of the Church, never questioned the justice of the Inquisition's verdicts; they regarded the inquisitors as infallible as we regard the judges of the Supreme Court. They had no more sympathy for the condemned heretic, who writhed and screamed in agony as the flames enveloped his roasting, shriveling body than law-abiding men and women have for the brutal murderer who expiates his crime by our somewhat more humane means to-day.

Despite all its horrors, its abuses, its cruelties and its injustice, there was much that to us appears almost childish, unsophisticated and even ludicrous about the proceedings of the Inquisition. In going through the old records and documents of the Inquisition, we come upon accounts that remind one of the trial in *Alice in Wonderland*. Here, for example, is a statement of procedure as recorded by Bernard Gui:

When a heretic is first brought up for examination he assumes a confident air, as though secure in his innocence. He replies, smiling and courteous, "Sir, I would be glad to learn the cause from you."

I. "You are accused as a heretic, and that you believe and teach otherwise than the Holy Church believes."

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He. (Raising his eyes to heaven, with an air of the greatest faith) "Lord, thou knowest I am innocent of this, and that I never held any faith other than that of true Christianity."

I. "You call your faith Christian, for you consider ours false and heretical. But I ask whether you have ever believed as true another faith than that which the Roman Church holds to be true?"

He. "I believe the true faith which the Roman Church believes, and which you openly preach to us."

I. "Perhaps you have some of your sect at Rome whom you call the Roman Church. I, when I preach, say many things, some of which are common to us both, as that God liveth, and you believe some of what I preach. Nevertheless you may be a heretic in not believing other matters which are to be believed."

He. "I believe all things that a Christian should believe."

I. "I know your tricks. What the members of your sect believe you hold to be that which a Christian should believe. But we waste time in this fencing. Say simply, Do you believe in one God the Father, and the Son and the Holy Ghost?"

He. "I believe."

I. "Do you believe in Christ born of the Virgin, suffered, risen, and ascended to Heaven?"

He. (Briskly) "I believe."

I. "Do you believe the bread and wine in the Mass performed by the priests to be changed into the body and blood of Christ by divine virtue?"

He. "Ought I not to believe this?"

I. "I don't ask if you *ought* to believe, but if you *do* believe."

He. "I believe whatever you and other good doctors order me to believe."

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I. "Those good doctors are the masters of your sect; if I accord with them you believe with me. If not, not."

He. "I willingly believe with you if you teach what is good to me."

I. "You consider it good to you if I teach what your other masters teach. Say, then, do you believe the body of our Lord Jesus Christ to be in the altar?"

He. (Promptly) "I believe."

I. "You know a body is there and that all bodies are of our Lord. I ask whether the body there is of the Lord born of the Virgin, hung on the Cross, arose from the dead?"

He. "And you, sir, do you not believe it?"

I. "I believe it wholly."

He. "I believe likewise."

I. "You believe that I believe it, which is not what I ask, but whether you believe it."

He. "If you wish to interpret all I say otherwise than simply and plainly then I don't know what to say. I am a simple and ignorant man. Pray don't catch me in my words."

I. "If you are simple, answer simply without evasions."

He. "Willingly."

I. "Will you swear that you have never learned anything contrary to the faith which we hold to be true?"

He. (Growing pale) "If I ought to swear, I will willingly swear."

I. "I don't ask if you ought, but whether you will swear."

He. "If you order me to swear, I will swear."

I. "I don't force you to swear, because as you believe oaths to be unlawful you will transfer the sin to me who forced you. But if you will swear I will hear it."

He. "Why should I swear if you do not order me to?"

I. "So that you may remove the suspicion of being a heretic."

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He. "Sir, I do not know how unless you teach me."

I. "If I had to swear I would raise my hand and spread my fingers and say: 'So help me God, I have never learned heresy nor believed what is contrary to the true faith.'"

Then, trembling as if he cannot repeat the form, he will stumble along as though speaking for himself or for another, so there is no absolute form of oath and yet he may be thought to have sworn. Or he converts the oath into a form of prayer, as: "God help me that I am not a heretic or the like." But when asked if he has sworn, he will say: "Did you not hear me swear?"

And if further pressed he will appeal, saying: "Sir, if I have done amiss in aught, I will willingly bear penance, only help me to avoid the infamy of which I am accused through malice and without fault of mine."

But a vigorous inquisitor must not allow himself to be worked upon in this way, but proceed firmly till he makes these people confess their error or publicly abjure their heresy, so that if they are subsequently found to have sworn falsely, he can, without further hearing, abandon him to the secular arm. If one consents to swear he is not a heretic, I say to him: "If you wish to swear so as to escape the stake, one oath will not suffice for me, nor ten nor a hundred, nor a thousand, because you dispense each oath for a certain number of oaths taken under necessity, but I will require a countless number. Moreover, if I have, as I presume, adverse witnesses against you, your oaths will not save you from being burned. You will stain your conscience without escaping death." Under this anxiety, I have seen some several confess.

Poor chaps! Who wouldn't have some "anxiety" under such conditions, and who wouldn't feel that the one way to avoid burning was to "confess"?

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The same inquisitor also illustrates the "ease" with which these simple folk played with the trained inquisitors. He states that for several days a serving wench eluded the questions and traps of picked examiners, and he declares that she would have escaped altogether, had they not by merest chance, found in her chest the fragment of a bone of a heretic recently burned which she preserved as a relic, according to a companion accused with her. As credulous and as superstitious as they were naïve, zealous and earnest, the best of the inquisitors believed as implicitly in sorcery, witchcraft and the black arts as did any of the heretics they tried, tortured and burned. In January, 1329, a Carmelite monk was found guilty of "most infamous sorceries." But the inquisitors, believing that he might turn his magic to excellent account in aid of the Inquisition, promised him immunity if he would do so. And they seriously and officially recorded that he was absolved of his sins because "while in prison he aided greatly in making heretics confess and revealed many important matters, from which the Inquisition has derived great advantage and hopes to gain more."

Among the miracles wrought was that of Pietro of Assisi who, having been judged a heretic, was loaded with chains and fed on bread and water in a dark dungeon. Thus brought to sincere repentance through suffering, he invoked the aid of St. Francis who, moved by his zeal and repentance, appeared

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to him. His chains fell off and the doors of the prison flew open, but the poor rascal was so crazed



WITCHES FLEEING FROM THE INQUISITION

From a woodcut of 1489

by the miraculous answer to his prayers that he clung to the door and shouted for his jailers. In

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respect for the miracle and the power of God, the bishop sent the shattered fetters to the Pope.

On another occasion a woman and a girl were arrested and charged with heresy whereupon the woman produced a ball of yarn, and holding one end of the cord, she tossed the ball out the window where, instead of falling to the ground, it flew upwards and was caught by a demon. Then, laughing at her captors, the woman pulled herself up the yarn and vanished. Such impossible and ridiculous tales were actually recorded as facts by the Inquisition, and we can only assume that the men, sent to capture or to secure victims, when failing for any reason to do so, made up such fairy tales in order to save their own lives and liberty, fearing to be accused of aiding heretics.

CHAPTER VI

PENALTIES IMPOSED

THE penalties imposed by the Inquisition were not only quite numerous but all save the death penalty could be made to suit all cases, from the mildest to the most flagrant, by varying their severity.

Public scourging, simple penances, carrying a cross, wearing crosses, making pilgrimages, confiscation of property, destruction of houses, imprisonment and death were all included and could be imposed singly or in combinations of two or more. The only penalty that could not be adjusted to suit every case was that of death which was always burning at the stake. Yet, in a few rare instances, even this was made a bit easier by hanging or strangling the victim before burning.

Although I have used the term "imposed by the Inquisition," yet technically and theoretically the inquisitors could not inflict any punishment for heresy. The mission of the Inquisition was to save souls, not to maltreat bodies, and its only vested power was to assign the proper penance for those who sought redemption and absolution for their sins. Hence, the inquisitors reasoned and held, any

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sentences imposed were not penalties such as those dealt out by secular judges or the retaliation of society or deterrent examples to prevent crimes, but were wholly for the good of the soul and to cleanse it of sin. It was a distinction without a difference that probably did not appeal greatly to the condemned heretic, and to a person cast into a dungeon or compelled to make a weary pilgrimage of several years' duration, it made little difference whether his sufferings were for the benefit of his soul or as an example to others. And the unfortunate, roasting in the flames of faggots piled about the stake, found his agonies no whit lessened because it was to benefit his soul that his body was being destroyed.

Nevertheless, the inquisitors were most meticulous in obeying the mandates of the Church in not staining their hands with blood, in not causing the loss of life or injury to body or limb by their acts or words. Even when a person was condemned to lifelong imprisonment he was told merely to betake himself to the prison and confine himself there, performing penance on bread and water, with an admonition not to leave his self-inflicted immolation under pain of excommunication and of being adjudged an impenitent heretic. In case he disregarded these warnings and betook himself elsewhere or wearied of imprisonment and broke jail, he was described, not as an escaped or fugitive criminal, but as one who was "insanely led to reject the salu-

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tary medicine offered for his cure, and to spurn the wine and oil soothing to his wounds.”

When subject to burning, the poor heretic was not condemned to death, but merely had the “protection of the Church” withdrawn from him. Only in Italy did the Inquisition confiscate the heretic’s property. Elsewhere the inquisitors simply declared the proven existence of a crime which, by the provisions of secular law, rendered the criminal incapable of possession. In fact the only penalties the inquisitor was authorized to impose were religious penances—prayers, pilgrimages, the bearing of crosses, etc.—and fines to be expended in sacred or other good works.

Yet the very fact that he was the arbiter of consciences and the judge of souls gave the inquisitor a far greater discretionary power than is possessed by secular judges bound by hard and fast rules as to penalties to be imposed for various crimes. As there was every gradation of spiritual lapse it was essential that the inquisitor should be untrammelled, unlimited by statutes and rules as to the penalties fitting for every form of heresy. It was this power of discrimination that caused almost inexplicable leniency to be shown in some cases, which to us seem deserving of the extreme penalties. This was the case with the murderers of St. Peter the Martyr. One of the hired assassins, Pietro Balsamo, was caught red-handed and escaped by bribery from prison, a scandal that resulted in a revolution in

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Milan. Yet this thug, when recaptured, declared himself a penitent. As a result he was absolved and allowed to enter the Dominican Order where he became a model friar and lived and died so holy and revered that, in one of the stalls in St. Martyr's Church of Sant' Eustorgio, there is a painting of the former murderer, entitled "The blessed Acerinus", among the Dominican saints. In this case was it not far better to have transformed a hired assassin to a near-saint than to have transformed him to ashes at the stake?

Still, the theory on which the Inquisition operated, that the Church was a loving mother unwillingly inflicting necessary chastisement on her erring children, made the inquisitors even more severe in most cases. Those who were obstinate or blind to the kindly efforts and good intentions of Mother Church were regarded as disobedient and ungrateful sons and daughters. They were guilty of religious parricide, and such sin could only be wiped out by the most severe penances and sufferings. And in the days of the Inquisition it was an established and universal belief that the soul could be cleansed of any sin by agony of the flesh. To the earnest and sincere inquisitor, tenderness, sympathy, pity were all signs of weakness. He argued that as Christ had suffered on the cross for the sins of others, the least a sinner could do was to suffer for his own sins. There were not a few of the more zealous and saintly inquisitors who felt that in enduring the



THE ROASTING BULL

Heretics are being roasted, given water torture, subjected to strappado, and racked. From a rare old print



FLOGGING AND BURNING HERETICS

From a print of about 1500

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mental agony of seeing others suffer they were sanctifying their own souls and expiating any sins they might unwittingly have committed. When we stop to consider the severity of penances inflicted upon those who showed repentance and abjured their sins, we cannot wonder that the inquisitors felt that the most awful of deaths was not too much for those who obstinately refused to be saved.

The illogical part of the process, the greatest flaw in the entire system, and the point that all seem to have overlooked and which ultimately led to the worst abuses and horrors of the Inquisition, was that the Church contradicted its own teachings and abrogated unto itself not only the power of God to forgive but the power of human law to punish. It was held as irrefutable that if a repentant heretic confessed his sins, and performed penance and received absolution he was thereby washed clean of sin, saved from Hell and pardoned in the sight of God. But the Inquisition took the stand that even then, when by the Inquisition's own act and "mercy" the penitent had been restored, spiritually, to his godly estate, he was not released from temporal punishment and was still subject to prosecution by the Inquisition. The efficacy of the Sacrament could not be endangered by such a stand, and hence mere priests were forbidden to take cognizance of heresy which was set apart as the sole prerogative of the Inquisition.

An ordinary priest might impose a penance for

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simple sins and lapses of the soul, but he had no power to judge whether or not the members of his flock were guilty of heresy. The most he could do was to report the matter to the Inquisition and let the inquisitors pass judgment and inflict penalties if the persons were found guilty. Even if a person had confessed in church and had received communion, thus cleansing him of sin, he could be haled before the Inquisition and tried for heresy.

While the Church gladly and enthusiastically welcomed her strayed lambs back to her fold, yet heresy was far too serious and grave a sin to be readily expiated. The way of the transgressor must be made over hard, and even the most trivial cases resulted in penances far more severe than any imposed by the ordinary priests.

As an example of an exceedingly lenient penalty we may select that imposed in 1258 upon Raymond Maria by the inquisitor of Carcassonne. The fact that Raymond's heresies had been committed twenty-five years before he was brought to trial, and that he had led an exemplary life afterwards, caused the inquisitor to be "most merciful." He ordered Raymond to fast after Michaelmas until Easter, to eat no meat on Saturdays but, he added, the severity of the fast could be moderated by giving a denier to a poor man each day. In addition, he was to recite a paternoster and an Ave Maria seven times daily, and within three years he was to make pilgrimages to the shrines of Saint Mary

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of Roche-amour, St. Rufus of Aliscamp, St. Giles of Vauverte, St. William of the Desert and Santiago de Compostella, bringing home testimonial letters from the rector of each to prove he had visited the shrines as ordered. Surely a large undertaking for three years! Moreover, he was obliged to contribute six livres *tournois* to the Bishop of Albi to aid in erecting a chapel, was to attend Mass at least every Sunday and feast day, and was to abstain from all work on such days.

A similar merciful penance was imposed on a Carthusian monk of La Loubatiere. He was ordered not to leave his abbey for three years and during that period he was not to utter a word except in dire necessity. For one year he was to make confession daily in the presence of his brother monks, and in addition he was to undergo numerous fasts and to perform innumerable recitations of the psalter and liturgy.

A somewhat more severe penalty was inflicted upon Pons Roger. On three Sundays he was to be stripped to the waist and scourged by a priest from the town gate of Treville to the church door. He was to abstain forever from meat, eggs and cheese, except on Easter, Pentecost and Christmas. For forty days twice yearly for life he was to abstain from fish, and for three days each week was to forego fish, wine and oil, providing his health and labors permitted, a merciful provision under the circumstances. He was also to wear monastic gar-

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ments with a cross sewed on each breast and if possible was to attend Mass daily, and on feast days attend vespers as well. Seven times each day he was to recite the canonical hours and the pater-noster ten times, and to repeat the last twenty times nightly.

Flagellation was one of the commonest of penalties and was included in a majority of other penances. In the days of the Inquisition it was not regarded as either severe or humiliating, and it was often imposed upon voluntary converts as a proof of their sincerity. Stripped as much as the weather and existing ideas of modesty permitted, the penitent presented himself at church each Sunday, between the Epistle and Gospel, carrying a rod. He was then scourged by the officiating priest in the presence of the congregation. Each month, on the first Sunday, he visited every house in which he had seen heretics, and there received a scourging, and whenever there was a religious procession he had to accompany it and submit to a beating at every Station of the Cross. This continued as long as the man or woman lived, or until it pleased the inquisitor to release him.

Also regarded as very light penances for heresy were the various pilgrimages, although a pilgrimage in those days of robbers and the absence of decent roads was a hardship compared to which death might be thought preferable. All pilgrimages were to be carried out on foot, and as a rule several years

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were necessary to make them, during which time a man's family might perish of starvation. Favorite pilgrimages imposed were to Canterbury and Compostella, and on one occasion a man of ninety was ordered to make a pilgrimage to Compostella merely because he had consorted with heretics. Moreover, during these pilgrimages the penitent was compelled to depend upon alms for his existence. Ordinarily, pilgrimages were divided into two classes—the less and the greater. The greater were ordinarily four: to Rome, Compostella, St. Thomas of Canterbury and the Three Kings of Cologne—thus covering the length and most of the breadth of Europe and a portion of England. The smaller were nineteen in number, extending from local shrines to Paris and Boulogne.

In 1322 Bernard Gui tried three men who were found guilty of having seen heretics in their fathers' houses twenty years before. Yet despite the fact that at the time they were ignorant of the fact that the strangers were heretics, the three were ordered to perform seventeen of the smaller pilgrimages. In another case, recorded in 1308, a culprit was ordered to make pilgrimages, but later, owing to his age and weakness, the humane inquisitor modified the sentence to two trips yearly to Toulouse.

In the early days of the Inquisition a common penance was a pilgrimage to Palestine or an order to join a crusade, but so numerous did these enforced crusaders become that fears were aroused

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lest they might create heresy in the Holy Land, and in 1243 the Pope forbade the employment of this penalty by the Inquisition. Apparently, however, this was disregarded later.

Oddly enough, it was not uncommon for a man sentenced to serve overseas or to carry out a long pilgrimage to employ a proxy to take his place, and some controversy as to the efficacy of saving a soul by doing penance by proxy was raised by the Church authorities. Obviously the decision was in its favor, for in 1321 Guillem Garrie was condemned to go beyond seas with the next crusade convoy and remain until recalled by the inquisitor. But, it was added, if he were legitimately impeded—being an old man who had lain in a dungeon for thirty years—he could replace himself with a competent fighting man, and if he failed to do so, he was to remain in prison for life.

Strange as it may seem, none of these penances affected in the least the social position, the self-respect or the public estimation of those sentenced. But the wearing of crosses was a disgrace, a humiliation, and was looked upon as a most severe and dreaded punishment. Why the emblem of Christ, so proudly worn by all the crusaders, should have been regarded as a badge of shame and an almost unbearable disgrace it is impossible to say. Certainly it was not because it marked the wearer as a penitent, for the pilgrim, the flagellant, the public confessor were all equally marked. But whatever

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the reason, the saffron-colored crosses of which the arms were "two and one-half fingers in breadth, two and one-half palms in height and two palms in width," when sewed upon breast and back were inflictions which resulted in the most extreme mental torture and the open derision of the wearer by the public.

If during his trial the accused had committed perjury, or had recanted, a second transverse arm was added to the top of the cross, while if adjudged a "perfected" heretic, a third cross was placed upon his cap. Somewhat similar were the red tongues attached to the garments of those convicted of false witness, and the hammer-shaped badges worn by those temporarily released.

Such crosses and tongues never could be discarded indoors or out, and when ragged or worn out the wearer was compelled to replace them. Only one exception was made and that was that a wearer of the badges of disgrace might temporarily discard them if sent on a crusade or an overseas pilgrimage, but even then he was forced to wear them the moment he returned. In the earlier days of the Inquisition these crosses might be imposed for a term of years, but later on they were always imposed for life, although if the wearer led a particularly blameless and holy life the inquisitor might reward him by permitting him to abandon his crosses. Thus, in the *auto-da-fé* of 1309, Bernard Gui remitted the penalty imposed upon Raymonde, wife

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of Etienne Got, and gave her permission to do away with the crosses she had been condemned to wear forty years before.

In 1229 the Council of Narbonne prescribed the wearing of such crosses as an evidence of repentance and abjuration of heresy by all converts who voluntarily returned to the true faith. In 1234 the Council of Beziers threatened confiscation for all such converts who refused to wear the crosses or endeavored to conceal them. But so onerous did they become and so hateful to the people that despite these orders every effort was made to evade appearing in public with the crosses, and in 1248 the Church decreed that all who disobeyed should be adjudged impenitent heretics and punished by burning.

In one case, recorded in 1251, a penitent preparing for a crusade misunderstood the rules, and feeling he was authorized to discard the crosses before he set sail, he removed them. For this he was sentenced to go barefooted to Carcossonne every month until he sailed, to visit every church in the city and to be publicly scourged in each one.

Why the wearing of crosses should have resulted in the wearers being ridiculed and derided by every one is something of a mystery. But such was the case even in the days when the country was filled with heretics and with persons undergoing penance for heresy. The Council of Beziers, in 1246, warned the people that penitents must be welcomed and congratulated, and all were forbidden under severe

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penalties to ridicule those wearing crosses or to refuse to do business with them.

Regardless of such orders the public still pointed the finger of scorn at all degraded by the crosses, and it became almost impossible for them to earn a livelihood. In time the Church came to realize the intolerable stigma that the crosses carried with them, and in several recorded instances the inquisitors mercifully permitted wearers of the crosses to lay them aside temporarily. One case was that of a man, Pierre Pelha, who was given a permit to discard the badges whenever he made a business trip to France. Many cases were those of young women who could not find husbands because of the crosses, and hence were permitted to discard them. Others were those of aged and infirm people who presented safe objects of ridicule; others were men with children for whom they could not earn a living if wearing their crosses, and still others were parents who found it impossible to marry their sons and daughters because of crosses they were forced to wear.

Fines were for a long time a subject of no little controversy in the Inquisition. The voluntary vows of poverty of the mendicant orders which had complete control of the Inquisition rendered their levying fines an incongruity. Yet the very fact that the friars had sworn themselves to poverty seemed to guarantee that any fines collected would be devoted to charity and other worthy purposes and would not find their way into the pockets of the

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inquisitors. Hence it was admitted that fines could be imposed, as in the case of Pons Grimoardi in 1237, which I have already noted. Yet in 1244 the Council of Narbonne ordered all inquisitors to refrain from levying fines for the "sake of the honor of the Order."

But a year later, in 1245, a bull of Innocent IV stated that "to preserve the reputations of the inquisitors," all fines were to be paid over to two persons to be selected by the bishop and inquisitor and that such money was to be expended for building prisons and supporting prisoners. In view of this papal decree the Council of Beziers rescinded its ruling and agreed that the fines might be collected provided they were used on prisons and for defraying the necessary expenses of the Inquisition. Evidently, however, there were inquisitors who were not strong enough to resist temptation, and in 1249, Innocent IV sternly censured the inquisitors in general for the heavy fines they levied to "the disgrace of the Holy See and the scandal of the faithful at large."

As this had little effect, in 1251 he prohibited them from levying fines if any other form of penance could be employed. But in the end the Inquisition won as usual and was given authority to inflict pecuniary penances at its discretion, provided they were devoted to inquisitorial purposes.

As a result, fines were almost always included with other penances thereafter and in 1387 the

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infliction of crosses was accompanied by fines as high as five or ten gold florins.

Later the question as to fines became rather acute, certain earnest and fair-minded inquisitors holding that as a heretic could not legally own property, and as all that he possessed prior to judgment was, willy-nilly confiscated by the Church, a fine was an anomaly and superfluous, while if not guilty of heresy he should not be punished by a fine. This very just and reasonable argument was met by the counterclaim that while it was quite true as regarded heretics, there were defenders and fautors of heretics whose property could not be confiscated and who could be properly penalized by fines.

Naturally, once the public and the priests discovered that money could be substituted for prayers and other penances, all who had money hastened to make use of it and it became a common, in fact an almost universal practice, to commute all but the most severe penalties for cash. As long as the sums thus obtained were employed for worthy and religious purposes no one could complain, but it naturally paved the way for abuses that eventually rocked the Church to its foundations, undermined the Inquisition, rendered the orders public scandals and formed the most vulnerable flaw in the armor of the Church.

Many of the European churches, innumerable bridges and public works and even roads were built entirely by the fines exacted from those found guilty

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of heresy by the Inquisition. If the inquisitor was a man of honest purpose and integrity he could be depended upon to see that the fines were devoted to good purposes. But there were covetous men in the Inquisition and these found their powers of extortion too great to resist, and in time every penalty except that of death could be arranged by the payment of money. Even if the death penalty could not be commuted by a fine, it was held that the heresy of those who had died might be forgiven by this means. There are numerous instances where the bodies and bones of the dead, that had been ordered exhumed and burned, were saved from desecration and destruction and were permitted to remain unmolested in consecrated ground upon the heirs paying a substantial fine for their defunct forbears' sins.

Among the penalties enforced upon heretics, which to us appear most uncalled-for and ridiculous, was the destruction of houses of heretics. The earliest known instance of this was at Clarendon in 1166 (before the Inquisition really began), but later it became a universal custom of the Inquisition. Very probably the custom had its origin in a superstitious belief that heresy was a disease of the mind that was contagious. But it soon became transformed to a penalty, and by the beginning of the fourteenth century it had been carried to such an extent that houses thus razed could never be rebuilt, the sites remaining forever accursed and a

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receptacle for filth. But as the number of condemned heretics increased and the numbers of razed houses and vacant sites at times were greater than the occupied dwellings in a town or village, the civil authorities became alarmed and carried the matter to the Pope, with the result that on October 19, 1378, orders were given that thereafter the homes of heretics in France could not be destroyed. The same rules were soon afterwards put in force in Germany and elsewhere and only Italy permitted the destructive penalty to be carried out by the Inquisition.

To offset somewhat this destruction of property, the Inquisition not infrequently ordered the penitents to erect buildings as a penance, but as such buildings were invariably churches or chapels they did not replace the destroyed homes, and it was not until the Inquisition finally saw fit to issue licenses to rebuild that the yawning gaps in the villages were filled.

All of the foregoing penances were mild compared with those of incarceration imposed for more flagrant cases of heresy. According to the inquisitors imprisonment was not, however, a punishment, but a means by which a true penitent could obtain—through the medium of bread and water and confinement—a pardon from God for his sins. Also, they pointed out, the penitent thus incarcerated was relieved from temptation by being segregated from others, while at the same time he could be more

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readily supervised and guided along the straight and narrow path to salvation.

But when we consider that imprisonment under the most horrible conditions was imposed only upon those who were repentant and abjured heresy—all others of course being put to death—its utter injustice becomes the more abhorrent. Yet the Inquisition boldly and brazenly claimed that such imprisonment—even when inflicted for life—was a special mercy shown to those who by rights had forfeited all claims to human compassion.

The council of Narbonne in 1244 declared that no husband was to be spared on account of his wife, no wife because of her husband, no parent in consideration of helpless children, and that neither age nor illness should mitigate the sentence. Neither was imprisonment confined to heretics. Any one who did not come forward and betray others was liable to the same punishment of lifelong incarceration on bread and water. Yet in some cases necessity prevented this horrible penalty from being carried out, the accommodations of the prisons being insufficient for the vast numbers of heretics and fautors of heretics in the districts. Also, in 1246, Pope Innocent IV ordered that such sentences should be commuted when they imperiled the lives of parents or children.

Still, so widespread and common was this form of punishment that in a single sentence issued in Toulouse, on February 19, 1237, thirty penitents

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were condemned and were ordered to confine themselves in a certain house until prisons could be built. And the register of sentences in the Inquisition of Toulouse from 1246 to 1248, totaling one hundred and ninety-two cases, shows that all but forty-three were imprisonment. Of these, one hundred and twenty-seven were for life, six were for ten years and sixteen for indefinite periods at the pleasure of the Church. Until the last days of the Inquisition, imprisonment was the commonest and the favorite penalty, even though decrees of Frederic and of the Councils of Toulouse and Narbonne held that imprisonment did not apply to those who heartily abjured heresy after their arrest.

How relentlessly such an inquisitor as Bernard Gui—who was of the better class—enforced the measure, is proved by the case of Raymond Dominique who voluntarily came forward and surrendered in 1321, after being assured his life would be spared. His heretical acts had not been flagrant and he pleaded, as an excuse for his contumacy, that his wife and seven children would have starved had he been deprived of labor by appearing as ordered several years previously. Yet in spite of all that he was condemned to perpetual imprisonment. On the other hand, Bernard de Caux, one of the sternest of inquisitors, in 1246 sentenced Bernard Sabbatier, a relapsed heretic, to life imprisonment, and then remarking that as the culprit's father was a good Catholic and old and sick, the son was given per-

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mission to remain with him and support him throughout his life provided he wore the crosses.

In the code of the Inquisition there were two grades of imprisonment called *muris strictus* or *durus* and *muris largus*. Both were on bread and water, both consisted of solitary confinement, each prisoner in a separate cell and with no access allowed any one, although in the *largus* the clergy might be admitted and husband and wife, if both were imprisoned, were allowed to meet. In this milder or *largus* form also, well-behaved prisoners were permitted to take exercise in the corridors and to converse with one another at such times. But in the harsher *durus* form the prisoner was incarcerated in the darkest, most noise-some of cells barely large enough to admit his body, and was loaded with chains and often chained to the wall. In extreme cases, as in that of a false witness in 1328, chains were ordered for both hands and feet, and in such cases the cells were completely sealed except for a tiny opening barely large enough to permit the ration of bread and water to be passed into the living tomb. To be sentenced to such confinement, even in a modern prison, would be terrible enough to cause any one to prefer death, but try if you can to imagine what it was like in the thirteenth century! There were no lights, bedding, ventilation, or sanitary arrangements. The rats that swarmed were the only scavengers; no change of garments

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was ever made, and the filthy rags that were the clothes worn by the prisoner when he was thrust into his cell were all he had for the remainder of his life of torture. Of course countless numbers died, countless more went raving mad. But the more prisoners who succumbed the less trouble it was for the jailers, and if the death of a prisoner could be kept quiet the pittance allowed for his sustenance could be pocketed. Of course then, as now, a prisoner with well-to-do friends would be enabled to receive slightly better treatment than his less fortunate fellows, but as prisoners thus confined had of necessity forfeited all their possessions, there was little hope in this direction. Moreover, any sympathy or aid rendered a prisoner was liable to bring trouble on the sympathizer.

Occasionally, too, the authorities were moved to a certain amount of compassion for these imprisoned wretches, and in 1337 the Senechausee of Toulouse authorized the expenditure of twenty sols for straw for the prisoners of the Inquisition, "lest they all perish with cold during the winter." Another item was eighty-three sols eleven deniers for the repairs to the prisoners' fetters and shackles. And in 1350 the Archbishop of Toulouse appealed to King John to interfere and mitigate the horrors of the local prisons of the Inquisition. As a result, the king issued an order compelling the superior of the convent to visit the prisoners twice a month to console them, and providing in addition that any

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prisoner should have the right to ask for the company of a monk twice in each month.

About this same time the Inquisition, with unusual kindness, gave permission for friends to contribute wine, food, garments and even money to ameliorate the condition of the prisoners under *muris largis*. But the rules of the *muris duris* called for conditions that stopped only short of extinguishing life. The orders for the cells stipulated that they should be small, absolutely dark and “no larger than necessary to accommodate a human body.” Naturally, under such conditions the prisoners were completely at the mercy of their inhuman jailers and keepers, generally men of the lowest, most brutal type. Complaints, even if they could be made—which was possible only to the visiting monks—were laughed at or unheeded, and frauds, ill treatment, abuses and even murders were common. In 1304 the custodian of the prison at Carcassonne, one Hugolin de Polignac, was tried on the charge of carrying the names of prisoners on his rolls for years after their deaths, of retaining money contributed them by friends, of withholding their property, and of embezzling a portion of the king’s allowance. But he could not be convicted because of lack of sufficient evidence.

The cardinals commissioned by Pope Clement V to investigate abuses of the Inquisition of Languedoc admitted in their report that they were filled with horror at what they saw. Everywhere was

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complaint of being starved, of lack of even straw for bedding, and of frequent torture, and though the cardinals did what they could by ordering the sick and aged to be transferred to the upper lighter cells, and compelled the jailers to remove the chains and fetters, little lasting good was accomplished. What the percentage of mortality was among these prisoners will never be known, but it unquestionably was very high. The wonder is that any human being could survive more than a few weeks at the most. Yet there are recorded cases of those confined in the *muris duris* living on for years. There is one case of a woman who was graciously discharged, with crosses, in view of her having survived thirty-three years of the most rigorous imprisonment at Toulouse. As a rule, however, the life of a prisoner was short. Very often records show that prisoners died before their sentences were confirmed or their cases ended. In the *auto-da-fé* of 1310 at Toulouse, ten had died after confessing to heresy and before receiving sentence. In 1319 there were eight, and at Carcassonne in 1325 four had thus succumbed, and in 1328 five had died.

Unfortunately or perhaps fortunately, no one ever will know how many men and women were imprisoned, how many were burned or how many were sentenced to pilgrimages from which they never returned, for most of the records of the Inquisition are fragmentary and many are missing altogether. But in Bernard Gui's *Register of Sentences* cover-

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ing the fourteen years from 1308 to 1322, there were six hundred and thirty-six condemnations recorded—not a great many to be sure, less than forty-six per year—and disposed of in the following manner:

Delivered to the secular court and burned	40
Imprisoned	300
Condemned to wear crosses	138
Condemned to perform pilgrimages	16
Banished to Holy Land	1
Houses destroyed	16
Condemnation of the Talmud	1
Fugitives	36
Bones exhumed and burned	67
Bones exhumed of those who would have been imprisoned	21

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By this it will be seen that only about six per cent were condemned to death, and that during fourteen years of the time when the Inquisition was at its zenith only forty heretics were burned—only about three annually—a far smaller number than unfounded stories and commonly accepted ideas of the conditions would have us believe. Still, we must bear in mind that these sentences represented only those in one district during fourteen years, and that everywhere, throughout Europe, and for year after year men and women were being tried, condemned and sentenced by the Inquisition so that the total

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number put to death at the stake or incarcerated in living tombs must have been stupendous.

But there is no doubt whatever that statements, usually made without any basis of historical facts, regarding the number of burnings by the Inquisition have been grossly exaggerated. In the first place the inquisitors, at least in theory, were not concerned with the death penalty, that being enforced by the secular authorities, and in the second place it was strongly against the policy of the Church and of the Inquisition to put a heretic to death. Invariably, the inquisitors exhausted every effort to convert the heretics and to bring them back to the fold of the Church. Their methods may not have been praiseworthy, they may have been unjust, dictatorial, bigoted and heartless—as no doubt many were—and, in later years, they may not have been wholly sincere nor above bribery and corruption, yet there was never any object in, nor anything to be gained, by burning the accused. To condemn a man to the stake did not even result in pecuniary benefits, for his property to the last cent was forfeited to the Church at all events. Moreover, the heretic, even when chained to the stake and with the fagots piled about him, could save his life by the simple method of abjuring heresy, confessing his sins and professing his repentance. That they did not avail themselves of this privilege more frequently was the result of several factors. Some were as obstinate in clinging to their beliefs as the

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priests were in striving to convert them, and cheerfully endured the agonies and death of burning rather than abandon their heretical ideas. Others felt that by dying amid the flames they were becoming martyrs. Others, no doubt, were insane and actually believed themselves under the protection of Satan, while it is probable that many preferred death and the comparatively brief tortures of the flames to the longer tortures and ultimate death in prison.

Neither must we altogether blame the Church or the Inquisition for prescribing burning at the stake as the penalty for heresy. We must remember that numerous crimes, much less serious than heresy as it was regarded in those days, were punishable by death at the stake, and the penalty of the stake was fixed for heretics by the secular laws and not by the inquisitorial laws in practically every European country. So, when a heretic was "abandoned" by the Inquisition and the Church "withdrew its protection" there was nothing for the secular authorities to do but to burn him.

Indeed, many of the secular officials were far more inhuman and far more anxious to burn heretics than were the church authorities. In 1249 Raymond of Toulouse himself ordered eighty heretics burned at Berlaiges near Agen and would not allow them time in which to recant. And according to Bernard de Caux, one of the most ardent of inquisitors, not

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one of these wretches would have been abandoned to the secular law had they been tried by him.

Further proof of the willingness, not to say anxiety of the secular officials to burn persons, is found in the suit brought by the Maréchal de Mirepoix against the Senechal of Carcassonne, in which he claimed the Senechal had invaded the Maréchal's rights and privileges by himself burning all those condemned by the Inquisition. The Parlement of Paris considered the complaint, and in 1269 rendered a decision in favor of the peeved Maréchal. As a result, the Maréchal demanded that the Senechal should dig up and deliver to him "all remaining bones of seven men and three women thus illegally burned" and, in case the bones could not be found or identified, the Senechal must deliver as substitutes, "ten canvas bags filled with straw." To this the Senechal acceded, and, having made a thorough job of the burnings, he duly delivered the sacks of straw to the injured Marechal who caused a proper receipt for the "remains" to be drawn up by a notary and handed to the Senechal.

A similar suit arose in 1309, when the Count de Foix claimed his right to burn the heretic, Jacques Autier, and a woman named Guillelma Cristola, who had been condemned by Friar Bernard Gui.

Also, at Narbonne, there was a long-standing dispute and much ill feeling between the archbishop and the viscount as to who had the right to condemn and burn abandoned heretics. The argument was

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only ended when the king himself settled it by authorizing his own representatives to do the burnings.

On the other hand, when, as rarely happened, the secular authorities declined to burn abandoned heretics, the Inquisition saw to it that the customary penalty was duly carried out. In 1237 six men and women were abandoned by the Toulouse inquisitors and delivered to the secular arm to be put to death. But the city's officials refused, whereupon the inquisitors proceeded to excommunicate the officials, the anathema to remain in force until the heretics had been burned.

As a general rule, however, the consensus of opinion, and even the public was included in this, was that the only fit and proper disposal to be made of a heretic was to burn him. He was fated to burn in hell anyway, so why not start matters here on earth?

Finally we must believe that burning was never less than the very last resort, even if the saving of a body from the flames was for purely ulterior motives and not from compassion or humanity. The Inquisition depended very largely upon one heretic betraying others, and once men or women had been burned their lips were forever sealed, while if alive there was always the chance that they might mend their ways and reveal much that was of intense interest and great service to the Church. So we may feel sure that burnings were the exception rather

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than the rule, as many misinformed persons and anti-Catholics would have us believe.

It has also been denied by such persons that there was any chance of a heretic condemned to death being permitted to save himself from his fate. Nothing is further from the truth. Invariably, sentence was passed at least a day before execution, and the condemned person had twenty-four hours in which to recant if he so desired. Even after the faggots actually were lighted men were snatched from the flames when they showed a disposition to abjure their heresies. Thus, on one occasion when three heretics were being burned at Barcelona, one of the trio—a priest—cried out that he would recant. Although badly burned on one side he was dragged from the stake, was saved, confessed and was absolved. Yet, fourteen years later, he was again charged with heresy and it was proved he had not only persisted in his beliefs but had taught heretical ideas to numbers of persons. So he was burned a second time, and despite his former trying experience, he died quite stoically and an obdurate heretic to the end.

Ordinarily, too, a man who had been absolved and relapsed was considered beyond all mercy and hope. Yet there were many instances of relapsed heretics being absolved when they confessed a second and even a third time, and in 1248 the Archbishop of Narbonne declared that “those who returned to the Church a second time, humbly and obediently,”

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might be let off with imprisonment. If we examine impartially all the existing records of the Inquisition, we cannot fail to be convinced that on the whole the inquisitors leaned more to the side of mercy than to harshness. Even the zealous and implacable Friar Bernard de Caux, in his sentences for two years, from 1246 to 1248, lists sixty cases of relapsed heretics not one of which was punished more severely than by imprisonment. During the next ten years I have been unable to find a single case of a relapsed heretic being put to death after being condemned by the inquisitors, while Jean de Saint-Pierre, the successor of Bernard de Caux, made it a rule never to impose more than imprisonment upon a relapsed heretic. Frère Renaud de Chartres followed the same practice, and he expressed his unmitigated horror when he discovered that the secular authorities disregarded his sentences and burned the prisoners, and that they had surreptitiously done so in the cases of his predecessors. Frère Renaud was so scandalized in fact, that he took the matter to the Pope. Unfortunately, however, the Holy See had been pestered with complaints that relapsed heretics were becoming a menace to the country, and in 1258 a papal statement decreed that the most that a relapsed heretic could expect was to receive the Eucharist if, at the last minute, he recanted, but that in such cases he would be burned anyway. Despite this inhuman decision, the inquisitors continued to use their own discretion when

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it came to the burning or imprisonment of relapsed heretics. If, in their opinions, the second abjuration was sincere, imprisonment was usually the penalty, but if they felt that it was fraudulent and made merely through fear of death or in order to escape and to spread heresy, the stake ended all such hopes. Neither was it an easy matter to determine this. To the fair-minded it seemed unjust and cruel to condemn a man to death for a suspected second offense when he had been forgiven and absolved for the first. Yet on the other hand they felt that it was unfair to burn a man for a first offense and merely incarcerate a man who had sinned twice. Finally, in their perplexity, the matter was referred to Pope Alexander IV who gave a very positive decision: "If," he declared, the second offense was "violent" the offender was to be delivered to the secular law, whereas if it was merely "light" the guilty party should be punished more heavily than for his first sin, but not with the extreme penalty of death.

There were numerous other details and niceties to be decided, questions that sorely troubled and puzzled the really well-meaning and fair-minded inquisitors. Such, for example, was the question of penalties to be imposed on escaped prisoners of the Inquisition and on those who had not complied with penances imposed. Very frequently prisoners escaped, and still more often those sentenced to wear crosses laid them aside. Yet serious as these

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offenses were, being construed as obvious indications of a nonrepentant attitude, I cannot find the record of a single case of the death sentence being imposed for those discarding the crosses. Although escaped prisoners—under the law—were to be shown no mercy, nevertheless there are many cases of such jail-breakers being captured, and punished only by rigorous imprisonment.

When we consider all these facts, and when we examine the comparatively few existing records of the times, we will find that the popular idea of wholesale burnings by the Inquisition is the result of imaginations being inflamed by the many other iniquities of the times. Even many of the older historians were woefully careless in regard to such facts. Thus, in Volume XXI (page XXIII) of Dom Brial's *Recueil des Historiens des Gaules*, he states that Bernard Gui, while Inquisitor of Toulouse from 1308 until 1322, "put to death" six hundred and thirty-six heretics. Yet nothing could be more misleading and inexact, for as I have pointed out that was the *total* number of heretics convicted, including 88 dead persons who could not possibly have been put to death, and of whom only 40 actually were burned.

Consider also the statement of Friar Bernard de Caux, than whom no one was more relentless, merciless and zealous; a man whom Bernard Gui refers to as a "persecutor and hammer of heretics, a holy man and full of God. Wonderful in his life, won-

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derful in doctrine, wonderful in extirpating heresy.”

Surely such a man could not be charged with unusual tenderness towards heretics, yet, as I have stated, he did not sentence a single person to be abandoned during two years that he was inquisitor.

As an outstanding example of how far a man might go and yet not meet with the extreme penalty, take that of Alaman de Roax. He was a bishop of the heretical cult in Toulouse, and in 1229 he had been condemned by the Legate Romano and sentenced to a crusade to Palestine. This he never carried out, and when the Inquisition first was organized in 1237 his case was taken up. He was judged guilty of protecting heretics, of spreading heresy and of spoiling, ransoming, wounding and killing priests and clerks, and he was pronounced an outlaw of the Church. He became a bloodthirsty bandit, living on the proceeds of what he stole from murdered Catholics. There was probably no more aggravated case of heresy in the annals of the Inquisition, and yet when, on January 16, 1248, he gave himself up and professed to be a repentant convert, the only penalty for his manifold crimes was imprisonment although, for his temporal sins alone, he richly merited death. For that matter, an occasional burning now and again was a far more terrible and deterrent spectacle than if the stake had been called more frequently into use. Familiarity breeds contempt even when human life and suffering are concerned—witness the callousness

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of men in times of war. Men who ordinarily would faint at sight of a minor operation, who would shudder and draw back at sight of a corpse, come to regard mangled, groaning, suffering comrades with equanimity, and ruthlessly tread dead bodies underfoot. Hence, had burnings at the stake become everyday or even usual affairs in the times of the Inquisition, the public would have become accustomed to them, they would have lost interest in such spectacles, and a heretic roasting in flames would have created no more terror and would have proved just as inefficient as an object lesson as did the bodies of pirates swinging in chains along the water fronts in later years. It was therefore far more to the interests of the Church, and far more useful as a means of suppressing heresy, to make burnings as rare, and at the same time as spectacular, as possible.

All the people were summoned under threat of punishment to be present whenever a burning was to be carried out, and with awed faces they gathered about the public squares or market place where the stake or stakes had been erected. Accompanied by priests, ready to listen to any last desire to repent, the condemned man was led to the thick hardwood post. Here he was made to stand upon a pile of fagots and was securely lashed to the stake by chains, or at times ropes, passed around ankles, below the knees, at the groin, around the waist and beneath the arms. A chain was always fastened

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about the neck as well, and the victim was always so placed as to face the west. Fagots mixed with straw were then piled about him to the chin, and for the last time he was asked if he desired to recant. Upon his refusal the authorities clapped their hands and the executioners touched torches to the inflammable pile.*

In all probability the mental torture endured as preparations were being completed was far greater than the physical agonies of the actual burning. With highly combustible material reaching to his chin the victim must have been suffocated into insensibility, if not to death, before the clothing was burned from his body or the flames roared through the pile to roast his body. In fact the statements of eyewitnesses of such executions all agree that the victims seldom screamed or even groaned, and the writhings of the body may well have been due to the effects of heat and flames upon insensate flesh. Still it was not a merciful nor a pleasant death, but for that matter neither is hanging nor the electric chair.

But to the people of those days it was the legal, the accepted means of carrying out the law and hence regarded as no more repulsive nor cruel than the average person regards our present day means of sending a soul into eternity.

To the officials, burning a prisoner at the stake was a mere matter of routine and business. Just

* From the account of an eyewitness of the burning of John Huss at Constance in 1415.

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as the gallows or the electric chair is tested and the whole drama (minus the chief actor) is rehearsed beforehand, so those responsible for the successful incineration of a human being saw to it that there would be no hitch in the proceedings. And just as a bill of expenses must be rendered the state for every hanging and electrocution, so the costs attendant upon a burning were duly made out and rendered in the days of the Inquisition. Thus, among the accounts of Arnaud Assalit is the following statement of the expenses incurred in burning four heretics on April 24, 1323, at Carcassonne:

For large wood	55 sols 6 deniers
For vine-branches	21 sols 3 deniers
For straws	2 sols 6 deniers
For four stakes	10 sols 9 deniers
For ropes to tie convicts	4 sols 7 deniers
For the executioner, each convict 20 sols	80 sols

In all 8 livres 14 sols 7 deniers

Hence, to send a human soul through flames to its Creator cost a trifle over two livres each. So whatever may be said against burning as the death penalty we must admit it was far superior to hanging or electrocution on the score of economy!

CHAPTER VII

TORTURES

PROBABLY the strongest indictment brought against the Inquisition, and the weapon that has been wielded most unsparingly and with most telling effect by anti-Catholics, is the matter of tortures. No one can deny that—especially in its later years and in the still more recent Spanish Inquisition—the Inquisition *did* employ tortures to wring admissions and confessions from its victims. But the extent to which tortures were used, the character of the tortures, and the number of persons put to torture have all been grossly exaggerated—exaggerated more, if anything, than the stories of persons put to death by the Inquisition. Moreover, before holding up our hands and shuddering with horror at the use of tortures, before damning the Catholic Church for using tortures, before accusing all Spaniards of being cruel and inhuman because of the tortures used in the Spanish Inquisition, we must bear in mind several very important but all too frequently forgotten or overlooked facts. In the first place, we must remember that the conditions of mankind, of society, of jurisprudence, of what we are pleased to call humanity, were all wholly dif-

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ferent from what they are to-day. We must constantly bear in mind that tortures of the most fiendish sort were recognized and legally employed accessories of all criminal procedure, and that what we of the twentieth century would deem cruel, inhuman, too horrible for words, were regarded then as ordinary, everyday, quite-to-be-expected matters. We must also remember—though anti-Catholics invariably fail to mention this—that the use of tortures as a means of forcing men to confess or to admit various matters or to divulge secrets, was not confined to the Church, the Catholics, the Inquisition, to Spaniards or to any one race.

Tortures were first employed by the secular not the religious authorities; they were resorted to for the most trivial reasons, and they were as popular with the Germans, the British, the Italians, the French and the Dutch as with the Spaniards.

In England, a prisoner who refused to plead either guilty or not guilty to a charge against him was put to the *peine forte et dure*. In other words, he was slowly pressed to death because the trial could not go on without his plea and hence he was in contempt of the court, so to speak.* In England, too, as well as in nearly all parts of Europe, the

* The same penalty of pressing to death as a punishment for refusing to plead was in force in New England, and in 1688 Giles Cory was put to death in this manner. The record reads as follows: "Giles Cory pleaded not guilty to his indictment but would not put himself on Tryal by Jurie they having cleared none upon Tryal, and Knowinge there would be the same Witneffes against him rather chofe to undergo what death they would put him to. In preffinge, his

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most terrible tortures were used, not only in persecuting violators of the laws but as penalties and punishments. Long after the Inquisition had ceased to function, British, Dutch and French freebooters invented and used tortures that would have put the Middle Ages to shame, and employed them on helpless men, women and children merely to force them to reveal the hiding places of their valuables. Finally, as I have remarked before, we have not yet graduated from making use of tortures in our own jurisprudence.

As long as we permit the deliberate infliction of physical or mental pain to be used to force helpless prisoners to confess—leaving the so-called barbarous and uncivilized races out of the question altogether—we are in no position to point a too condemnatory finger at the inquisitors of five or six centuries ago.

Strictly speaking, torture was not used by the Inquisition until the latter half of the thirteenth century. Even then it could be used only in exceptional cases, it could not be employed by the inquisitors or priests but had to be applied by the secular authorities, and it was expressly forbidden

Tongue being preft out of his Mouthe, the Sheriff with his cane forced it in again when he was Dyinge. He was the first in New England that ever was preft to Death. That is, having pleaded not guiltie to the Indictment, upon being asked 'How will you be Tryed?' he would not reply, 'Bye God and my Countrye.'" The wording of the penalty, according to English law, was as follows: "To be stretched naked on his back, and to have iron laid upon him as much as he might bear and more, and so to continue, fed on bad bread and stagnant water on alternate days till he either pleads or dies."

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to administer tortures that would "imperil life or injure limbs." But long before this period many of those accused had been put to tortures that were far worse in many respects than the rack and wheel or the braziers and hot irons. Obstinate heretics were often tightly bound or laden with chains until the pain and exhaustion were beyond human endurance. Still oftener a prisoner would be agonized and his spirit weakened by alternate hope and despair. One day he would be abused, browbeaten, threatened; the next his wife or children would be permitted to see him and he would be given good food, commodious quarters and well-treated, only to be again cast into a foul dungeon on a diet of moldy bread and stinking water. Or again, a prisoner who refused to confess his heresies would be left in solitude and darkness for weeks, months or even years, for time was no object with the Inquisition and it could well afford to wait if by so waiting it saved another erring soul.

If a few weeks or even months did not bring the accused heretic to terms the time might lengthen into years, the years into decades, and the prisoner might still remain in his horrible cell though unconvicted. There are many cases where three, five or even ten years elapsed between the first hearing and the final conviction of a prisoner, during all of which time the accused rotted in his dungeon; and even greater periods are recorded. Bernalde, the wife of Guillem de Montaigu, was first

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imprisoned in Toulouse in 1297 yet she was not formally sentenced to imprisonment until 1310. Think of it! Thirteen years on bread and water in an underground dungeon before she was even sentenced! Guillem Salavert was cast into prison at Toulouse in 1299, but was not sentenced until *twenty years later* when, in 1319, Friar Bernard Gui, with a somewhat delayed sense of justice, released him with the penance of wearing crosses in consideration of his having already served twenty years in prison without conviction. In 1310, Pope Clement V wrote to the bishop and the inquisitor of Carcassonne and named ten prisoners, among them some of the most prominent and respectable citizens of Albi, who had then been *eight* years in prison, many of them in chains, without trial. Although the Pope ordered their immediate trial, his commands were disregarded, and in a later letter he reiterated his orders and stated that several had died in prison. In the year 1319, Durand Boissa of Cordes was formally sentenced, as was Bernard Ouvrier, both of whom had been in dungeons since 1300. But the sentence had little effect upon poor Ouvrier who had succumbed to the horrors of his prison. No doubt in some cases these unfortunate wretches were left to rot through carelessness, oversight or the press of other matters, but in most cases they were deliberately kept in prison in order to force them to confess. Not only do records show that they were repeatedly haled before the inquisi-

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tors and were again cast into their cells when they did not confess but, in addition, they were not infrequently loaded with chains, and were deprived of food until on the verge of starvation. In 1306, Clement V, after an official investigation, declared that in the Carcassonne prisons the accused heretics were "habitually constrained to confession by the harshness of the prison, the lack of beds and the deficiency of food, as well as by tortures." However, we cannot say very much on that score when we regularly imprison perfectly innocent and unsuspected persons and hold them in jail for months merely because they have happened to be witnesses of some crime or violation of the law.

Moreover, such acts were forbidden by the Church, for they came under the general classification of torture which was strictly prohibited by the Inquisition, although, in 1252, Innocent IV authorized it to be used by the secular authorities in collaboration with the Inquisition. Even then all ecclesiastics were prohibited from being directly concerned with tortures and were declared "irregular" and unfit for sacred functions if they took part in them. But when, in 1256, Alexander IV authorized inquisitors and their associates to absolve one another and mutually to grant dispensations for irregularities, he unwittingly paved the way for the Inquisition to use tortures *ab libitum*. In many places it rapidly became the most popular and quickest method of securing the confessions of heretics

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and their abjurations, and it was particularly useful in the prosecution of fellow priests and friars. In Naples, in 1305, Fra Tomaso d'Aversa, the inquisitor, personally took charge and himself inflicted the most fearful tortures upon forty Franciscans accused of belonging to the "Spirituals." Finally, finding them immune to agony, he tried another scheme: that of starving one of the friars for several days and then filling him with strong wine, with the result that the intoxicated priest not only confessed but betrayed his thirty-nine comrades.

Still, in some sections, tortures were frowned upon or were restricted. In Languedoc torture could not be employed on a person accused by a single witness, even if the accused were a poor person. And in the town of Auzon torture could not be used no matter what crime was involved. But indifference to human suffering increases with the amount of suffering, people rapidly become callous of their fellows' agonies, and torture became not only so widespread and so generally accepted but so severe that, at the request of the population, Clement V ordered an investigation of the practice as conducted by the Inquisition at Carcassonne. The commissioners, in their report in 1306, stated that confessions were extorted by torture so severe that those put to it had no alternative save death, and that all laws were being violated by employing torture to the peril of life and limb. This report led to the Pope endeavoring to institute a reform,

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but his rules, adopted by the Council of Vienna in 1311, were not published until October, 1317, when John XXII was Pope. Under this Clementine regulation torture could be used only with the concurrence of a bishop and an inquisitor, provided they agreed within eight days. But Rome was far away, the majority of the accused were poor and friendless with no chance of appealing to the Pope, and while the pitiable wretch who was tortured illegally might claim redress and the proceedings void, he suffered none the less and by retracting his confession made under torture he merely laid himself open to a repetition of his agonies. Moreover, Pope Clement had not worded his rules any too carefully. He had omitted to mention what was to be done in case the rules were violated, and he had referred only to the torturing of accused heretics and not of witnesses, so that the inquisitors interpreted it to mean that the torture of such unfortunates was entirely at their discretion. And as it was a most simple matter to transform the accused into a witness by demanding that he name other heretics, any and all could be put to the torture with impunity. Still we must not assume that torture was universally or even generally resorted to. In six hundred and thirty-six sentences recorded in Toulouse and covering the period from 1309 to 1323, only one of the number was subjected to torture. And torture was used only when there was enough adverse evidence to justify its use—that is, in the opinion of the in-

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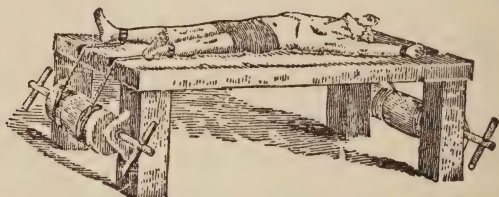
quisitors. Some inquisitors held that when there were two incriminating witnesses a man of good reputation might be tortured, whereas if he were a man of evil reputation he could be tortured on the evidence of one witness. Others claimed the word of one witness was enough to warrant torturing any man, others held that common report was sufficient, while not a few claimed that torture was called for if the accused appeared frightened, if he stammered and varied from the known evidence in his statements.

There was also a great deal of discussion as to how far and in what manner tortures should be used.* Mainly it was agreed that it should be "moderate" and that bloodshed should be scrupulously avoided. But the question was: what *was* moderation? Some prisoners were so tender that the first turn of the wheel brought them, screaming, to terms, while others would endure until literally torn apart without crying for mercy or uttering a word. Also it was

* During the régime of the later Inquisition in France, torture became systematized and reduced to a most simplified formula. Only two forms were recognized: ordinary and extraordinary. The former consisted of lashing the victim's wrists to an iron ring in the wall and securing his feet to a second ring in the floor. Then, by hauling on the ropes, the unfortunate wretch could be effectively racked until his joints were dislocated. Extraordinary torture consisted of the "water cure," thirty pints of water being forcibly administered to the victim. The mode of execution was also fixed. The heretic sentenced to death was lashed to a wooden cross. Then the executioner broke the bones of each leg and each arm in two places by blows with an iron bar and the victim was left to die. As a rule, however, death was too slow to satisfy the public, so the suffering victim was strangled, his body lashed to an iron stake and duly burned.

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found that men who had already been tortured might be even less amenable to it the second time. Sometimes their arms and muscles seemed to have been hardened by the strain, while others who had been put to the rack or wheel were physical wrecks and cowered and shrieked and were willing to confess at mere threat of the torture chamber. But there were certain rules of procedure upon which all appear to have agreed. Both the inquisitor and the bishop were to be present. The prisoner was to be shown the implements of torture and urged



RACK

to confess. Upon refusing he was to be stripped and bound and again entreated to confess and to be promised mercy if he did. Records prove that most confessions were forthcoming at this stage of the game, for it required a hardy heretic indeed to stand bound and naked in the presence of grim, implacable friars and watch the irons heated, the pulleys of the rack tested, the bearings of the wheel greased in preparation for their use upon his own bones and body. The strange part of it is that there were plenty of men and women who *were* able to face the implements of torture without flinching, and

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who endured all the agonies that followed rather than confess to heresy when, by making a statement which, made under duress, had no value, they could have avoided such sufferings.

In case the accused was still obdurate when shown the devilish devices about to be used upon him, he was subjected to the mildest forms of persuasion—slight searing with hot irons, the bastinado, suspension by thumbs or toes, even a touch of the rack. If these did not bring the desired results the severity of the applications was increased, additional devices, cleverly designed to cause excruciating pain without imperiling life or causing bloodshed or breaking bones, were used, until the agonized victim blurted out his confession or the inquisitor was satisfied that the tortures were a failure. Although, according to rule, torture could be applied to a victim but once, this was evaded by the inquisitor ordering a “continuance” instead of a repetition of the tortures, so that in the cases of very obstinate and stoical persons the tortures might be repeated and continued at intervals almost indefinitely, or in some cases, a second or third application was made by charging the accused with some additional heresies for which the torture test had not first been used.

Just what to do with an accused heretic who remained obdurate after the most extreme tortures, that only fell short of causing death or lifelong injuries, was a much mooted question. Some inquisi-

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tors held that, after such a test, the victim should be discharged with a declaration that nothing had been proved against him, while others as firmly insisted that it was negative evidence and hence the victim should be remanded to prison indefinitely.

As a confession made under torture was not binding it was essential that it should be confirmed and acknowledged after removal from the torture chamber, when the confession was read to the prisoner who was asked if it were true.

Strictly speaking, the rules required that twenty-four hours must elapse between the time of the words uttered under duress and the reading of the confession, but this was seldom adhered to. Anyway it made but little difference, for a prisoner who has been put to torture and had confessed was not likely to retract or deny what he had said when he was quite aware that to do so was to subject himself to further sufferings. The worst of it was that the written confession invariably stated that it was made of the confessor's free will and without the pressure of "force or fear," so that the victim had no possible chance of redress. Still there were many inquisitors who, although not averse to torture, held that a prisoner who made an admission under torture and afterwards retracted was entitled to discharge. Yet others went to the opposite extreme and argued that a retraction of a confession made under torture constituted a technical "impediment" of the Inquisition and

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hence was punishable by death. But as a general thing the custom was to hold that the confession



BURNING RELAPSED JEWS ON WHEELS

The peculiar caps are to designate the Jews. From a woodcut of 1475

made when subjected to torture was true and that any retraction was false and so proved the retractor an impenitent heretic to be burned. In many cases

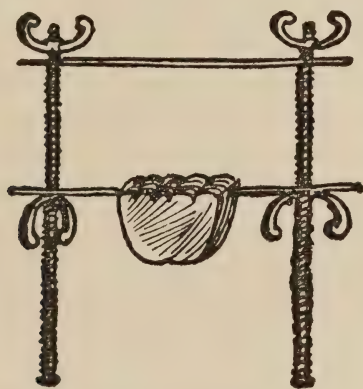
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the mere statement of a man that he had been forced to confess by torture was enough to warrant his being retaken, accused and judged as an impenitent and duly executed therefor. As no confession was held to be complete unless it named other heretics, the Inquisition held that should the retraction include these and should they be tried and no case found against them, the tortured man was self-condemned as a false witness and so subject to imprisonment. Naturally, under such arbitrary and involved rulings, there was small chance of the tortured man daring to so much as mention that his confession had been made through fear or force.

Although in the beginning torture was only resorted to under certain conditions and when there was certain evidence, yet in later years it was an almost invariable accessory of every trial of the Inquisition. No men, women or children—as long as they were over fourteen years of age—were exempt, and it was employed upon rich and poor, humble and noble, laymen and priests without discrimination. The only persons exempted, as from all other persecutions by the Inquisition, were the Jews, Mussulmen and other infidels. Although much has been said of the persecution of the Jews by the Inquisition, as a matter of fact, orthodox Jews were specifically mentioned in the laws of the Church as being free from all persecution. This was only natural. In the first place a Jew or any infidel who had never admitted Christianity could

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not be charged with heretical beliefs. In the second place, a confession, an admission, any statement made by an infidel was valueless from a Christian standpoint as it was not made under the oath of the cross. In the third place, in the eyes of the Church, such unbelievers were beyond the pale of the Church, beyond reach of absolution or salvation. Their souls—if indeed they had any—were already the prop-



LEG CRUSHER

erty of Satan, and unless they abjured their own faith and adopted Christianity nothing could be done for them. But the moment they became converts then they came within the jurisdiction of the Inquisition. It was the persecution, the torture, the burnings of Jews who, through fear, policy or otherwise had professed Christianity and had later reverted to Judaism or had relapsed and therefore were heretics, that have led to the exaggerated and inaccurate ideas of the Inquisition persecuting the

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Jews. But no persecution of infidels, no tortures imposed on such, were required to cause a revulsion of feeling in regard to the wholesale and often uncalled-for use of torture by the Inquisition. Like so many things it was being abused, and so widespread were complaints that on May 12, 1291, King Philippe sent a letter to the Senechal of Carcassonne in which he recited the injustices and injuries brought upon innocent people by the Inquisition's tortures, whereby the "whole land is scandalized and rendered desolate." Although he did not go so far as to attempt to interfere with the Inquisition and order tortures to cease, still he went as far as he dared and commanded his officials to refuse to obey the orders of the Inquisition in so far as making arrests, unless the accused were confessed heretics or there was ample evidence to vouch for their being heretics. But the royal commands had little effect as far as eliminating uncalled-for torture was concerned, and in 1299, twenty-five of the wealthiest citizens of Albi were arrested and torture was unsparingly used to wring confessions from them. It is doubtful if they gained any surcease of their sufferings by confessing, for all who were sentenced were condemned to perpetual imprisonment in chains. Although it may seem strange to many, yet the most steadfast opponents of torture were the Spaniards, and in 1325, the *Cortes*, with the consent of King Jayme II, absolutely prohibited the use of torture in the inquisitorial

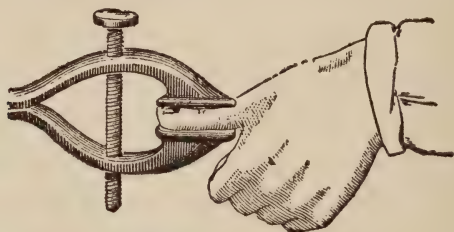
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prosecutions and declared it a violation of the imperial laws. In Italy, too, or rather in Venice, both the public and the authorities were strongly opposed to the Inquisition's use of torture. In 1356, when the Friar Michele da Pisa, Inquisitor of Treviso, imprisoned some Jews who had relapsed after conversion to Christianity, the Venetian secular authorities turned the tables, and seizing the familiars of the Inquisition, put them to torture in order that they might have a taste of their own medicine.

Still, despite every effort to suppress the practice, torture continued in use for the next hundred years and more. In 1497 Girolamo Savanarola was put to the *tratti di fune* or *strappado*, which consisted of tying the prisoner's hands behind his back, hoisting him by the wrists, letting him drop for several feet and stopping him with a jerk before he reached the ground. This proving ineffectual, weights were attached to Savanarola's feet and he was dropped fourteen times. As a result, his arms were so injured that for days he was unable even to feed himself. Yet he endured all without confessing. So, three weeks later, he was again tortured, and so great was his agony that passers-by on the street complained of the screams and shrieks issuing from the torture chamber. Finally, finding all efforts useless, the inquisitors turned their attentions to his friends who, proving less able to endure the agonies of the *strappado* and hot pincers, gave such testimony that all were burned at the stake.

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Moreover, in the wholesale persecution of the Templars, early in the fourteenth century, torture was again legally brought into play, and royal decrees ordered that "torture should not be spared" in extracting "both information and confessions." Yet again, the inhabitants—even the priests—in Spain refused openly to countenance the use of torture, and, as a result, little was accomplished in the world-wide effort of the Church to stamp the Templars from existence as an organization. But



THUMBSCREW

in France, especially, torture played the most important part in the Templar persecutions.

In Paris alone, according to the testimony of Ponsard de Gusiac, thirty-six Templars died from the effects of torture. At Sens, twenty-five succumbed, and hundreds of Templars, who confessed and were absolved, complained bitterly of the excessive tortures they had endured. In 1310, Bernard de Vado, a priest who was accused of being a Templar, was tortured by having the soles of his feet burned until the bones fell out, in testimony of which he exhibited the bones. At the same time

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three Templars, named Henri, Gautier and Chanteloup, died under the tortures imposed upon them. Aymon de Barbara, another Templar, was three times put to torture and was then kept in chains and fed on bread and water for nine weeks in a dungeon. Jean de Cormele, Preceptor of Moissac, had his teeth knocked out one at a time, besides being put to the *strappado*, and on October 12, 1310, fifty-four Templars who had retracted confessions made under torture, were slowly roasted to death near Paris.* In England also, prosecution of the Templars was going on. Orders were given to arrest all Templars and to gather them in London, York and Lincoln, in preparation for their trial by the Inquisition, and similar orders were issued throughout Ireland and Scotland. At that time torture was prohibited in England, and the inquisitors found themselves helpless. So they complained to the Pope that they were handicaped and, as a result, Clement addressed a curt note to King Edward, and on April 28, 1311, the king ordered that the inquisitors should be permitted to employ ecclesiastical laws including torture, and were permitted to do with prisoners' bodies "what they pleased." But torture was too repugnant to Anglo-Saxon minds to go far; the inquisitors, among strangers in a strange land, dared not press matters, and as a

* At times those condemned to death were slowly roasted in a huge metal oven made in the form of a bull. At other times they were lashed to revolving rods or spits and grilled over fires, their sizzling bodies being basted with the drippings from their own flesh.

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result, no convictions of the Templars were secured in Great Britain. In Spain, as I have said, torture was prohibited except in the cases of counterfeiters, and then only when they were aliens and vagabonds, but as in England, the Pope induced the Spanish monarch to permit torture in trying Templars; and also, as in England, popular opinion was so strongly against it that little was accomplished and the worst that happened to the Templars of Spain was imprisonment and the confiscation of their property. But that torture was falling into disrepute was evident, and even in the spectacular trial of Joan of Arc it was not employed, although suggested. In fact, by the middle of the fourteenth century, tortures as a means of wringing confessions from prisoners had been almost abandoned by the Inquisition except in the most obstinate and severe cases of heresy, and had been relegated mainly to the use of the secular authorities in the suppression of sorcery and witchcraft. It was not until the inauguration of the New Inquisition, or as it is more generally known, the Spanish Inquisition, that tortures were again widely employed by the Church.

CHAPTER VIII

SUPERSTITION, SORCERY AND WITCHCRAFT

WE are accustomed to associate the Inquisition with the prosecution and condemnation of heretics, yet all the heretics ever prosecuted and sentenced by the Inquisition were but as a drop in the bucket compared to those tried and put to death for witchcraft.

From its inception the Inquisition had dealt, more or less sporadically it is true, with sorcerers and witches, not that their practices in themselves were considered crimes or sins, but on the basis that in order to carry on the black arts it was necessary to deal with Satan and abjure Christ, and were therefore heretical. Yet, in the earlier days of the Inquisition, the belief in all forms of magic, in spirits and in demons, was so universal in Europe and was so generally shared by both laity and clergy alike that it was not until well along in the thirteenth century and later that any concerted action was taken in the matter.

It is difficult for us to-day to realize the depths of ignorance and of superstition in which Europe was buried in the early days of the Christian church. The population was composed of innumer-

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able races and tribes, each with its own superstitions, its own magic, its own weirdly preposterous beliefs in demons, evil spirits, sorcerers, wizards and supernatural beings. And very rapidly the superstitions of one race became adopted by its neighbors, until those of each race had become common to all. As few things are as indestructible and as persistent as superstitions, and as one begets another, the entire fabric of European life, beliefs and conduct was based on superstition and credulity. When we stop to consider how widespread are popular superstitions even at the present day; how, despite our advancement, our Christianity, our sciences and our boasted civilization so many of us still have faith in omens, signs, dreams, horoscopes, fortune telling, lucky and unlucky numbers, days and months, Jonas, charms, talismans, mascots and whatnot, we can scarcely blame the Europeans of the Middle Ages for holding similar beliefs on a larger and more exaggerated scale. To-day, intelligent men and women do not—or at least are supposed not to—believe in witches, yet many intelligent men and women have a more or less implicit faith in astrologers and fortune tellers, and the distinction between the former and the latter is one of degree rather than of difference. Moreover, we must remember that when we get down to concrete facts and look the matter squarely in the face, superstition, or perhaps better, credulity, is the basis of every religion, even including our own. The

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more primitive the religion, the more it is surrounded by, confused with and dependent upon superstition and supernatural beings and occurrences. Hence, as one religion succeeds another, the sacred rites of the past faith become superstition in the eyes of the present, while the recently converted adherent of the new strives to explain what he cannot understand by falling back on magic, spirits, demons and the occult. His gods, long worshiped by his ancestors through countless generations, are suddenly overthrown and are transformed to demons or things of evil, and with the dawning of Christianity in Europe, scores, hundreds of established faiths were cast aside in the acceptance of the new, and yet there remained a deep-seated, inherited belief in the gods, devils and whatnots of the old.

Moreover, primitive Christianity itself tended to preserve rather than to destroy superstitions and beliefs in occult and supernatural things. The people were taught that Satan was a real, living, ever present being; a veritable devil with horns, tail and hoof, who might appear in fire and brimstone at any moment; who could hold intercourse with human beings, could offer them monetary and other rewards in exchange for their souls or who could take corporeal possession of their bodies. And along with this theology it was taught, as an accepted truth, that in his machinations Satan required the coöperation of men and women, and as

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a reward for their services, transferred to them a portion of his supernatural powers. As the primitive man invariably feels it essential to propitiate the evil spirits rather than the good ones, it naturally followed that even after Christianity had spread over most of Europe, there was an almost universal feeling that Satan was more to be feared and more to be catered to than God.

Hence men and women lived in a state of suppressed terror of the devil and his lieutenants in human form, and were surrounded by an infinite number and variety of bad and good spirits or familiars that were the heritage of the conglomeration of beliefs and the multiplicity of tribes that had gone into the making of the so-called Europeans. Every evil deed was, quite naturally, attributed to demons, every virtue was credited to good spirits, although it was taught that the human soul could rise above such spirits as were evil, and by resisting them, could cast them into eternal darkness—a doctrine that was held as orthodox by the Church throughout the Middle Ages. Even the most advanced members of the clergy of those days believed literally in demons lurking everywhere who were able to assume innumerable forms at will.

Gregory the Great related, in perfect faith, that a nun walking in the garden of her convent ate a lettuce leaf without making the customary sign of the cross, and instantly was possessed of a malicious demon. She hurried to Saint Equitius who so tor-

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tured the imp with exorcisms that at last it exclaimed: "What have I done? I was merely seated on the leaf and the woman ate me." But the good saint would not accept any such excuse and commanded the imp to depart forthwith. Apparently he obeyed, for the nun recovered. To-day, of course, the salad-loving nun would have been treated by a



A WITCH MILKING AN AX HANDLE

From a print of about 1575

doctor, instead of a saint, and the imp who tortured her insides would be identified as typhoid bacilli or an inflamed appendix. Gregory seems to have been deeply interested in the matter of imps and demons, and he was something of a statistician after quite the modern manner, for he tells us that on the Day of Judgment the saved will be nine times as many as the devils, while the damned will be

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greatly in excess of both! Further, he states that at the deathbed of a monk of Hemmenronde fifteen thousand demons were gathered together—although he fails to say who counted them—while a Benedictine abbess was honored at her death by having more demons present than “there are leaves of the forest of Kottinhold.” In 1270, the blessed Reichhelm, Abbot of Schongau, averred that he was able to discern the aerial bodies of demons and imps and often saw them as motes or thick dust or even as heavily descending rain. He goes on to explain that as the air is completely filled with these beings, all material sounds—waterfalls, clashing stones, winds, thunder—are merely their voices in a confused babel, while they can materialize at will to tempt human beings—in the forms of women, “as often they have done unto me,” or as huge cats or wild beasts to terrify him. But he admits that as a rule they devoted their energies mainly to diverting his thoughts from pious duties.

There was just as firm and widespread a belief in helpful spirits, and while the Christian priests classed them all as devils, they found it essential to classify them, and to explain to their recently barbarian flocks, that their characters varied according to the amount of pride or envy of God they had entertained before their fall, and that such as had since repented might be capable of good influences over human beings.

Apparently some of these repentant devils were

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far better Christians and more charitably disposed than human beings belonging to the Church. It was



WITCHES MAKING THUNDER AND HAIL

From a woodcut of 1489

reported that one such faithfully served a knight, repeatedly saved him from enemies, and saved the

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knight's wife from a mortal illness by bringing lion's milk from distant Arabia. This remarkable exhibition of rapid transit so aroused the knight's suspicions that all was not as it should be, that he forced his servant to confess himself a demon. Thereupon, the knight dismissed him, offering one-half of his possessions as a reward for services rendered. But the honest demon would not hear of this and would take but five sous. Even these he returned to the knight with the request that he would use the money to buy a bell to hang in some deserted church so the faithful might be summoned to services on Sundays.

Thus, whether for evil or for good, the separation between the material and the spiritual world was so slight that it occasioned no surprise nor incredulity when intercourse between spirits and human beings was alleged.

Yet despite this universal belief in the occult, it was, in the strictest interpretation of ecclesiastical law, forbidden and heretical. The Christian, upon receiving baptism, renounced the devil, his pomp and his angels. Hence if later he dealt with Satan he must, logically, renounce God. And as the avowed purpose of the devil in his everlasting warfare with God was to seduce souls and work all the damage possible among men, it was held that the sorcerer or witch was an enemy not only of God but of his fellow men, and his destruction by any means was justifiable and laudatory.

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In fact from earliest times the most severe penalties were provided by law for the punishment of sorcerers or all having traffic with demons. Even in Roman days these had been in force, and even the wearing of charms or amulets was severely punished. To conjure with the purpose of bewitching any one was punishable by crucifixion or being thrown to wild beasts. Accomplices in magical practices were to be crucified, and magicians were burned alive.

And if the so-called pagans dealt thus severely with practitioners of the black arts, then surely, one would expect that the Christian Church would have been even more severe and more zealous in suppressing them. Such, however, was not the case. Although Christianity greatly increased the number of practices that were classed as magical or demoniacal, the very exponents of the new religion had been too recently weaned from the superstitions and beliefs of their ancestors to frown very severely upon similar beliefs in others. In 1398, the theological faculty of the University of Paris adopted a series of twenty-eight articles wherein were set forth the rules and regulations as to what constituted magic or witchcraft, thereby stamping, as officially recognized, the existence of such matters.

In this remarkable document it was declared that there was an implied contract with Satan in every superstitious observance of which the anticipated result could not reasonably be expected from God.

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It condemned the invocation of demons or the seeking of their friendship or compacts with them for purposes of gain, and it stated that it was unlawful to imprison demons or spirits in stones, rings, or images or to use sorcery even for good purposes or for the cure of sorcery. Furthermore, God could not be induced by magic to compel demons to respond to invocations, and finally, that the Biblical miracles were not the result of sorcery. Yet, paradoxical as it may appear, the same document solemnly declares that to question the existence of sorcery and magic or to deny its powers, incantations and invocations is sinful.

Furthermore, it brands such doubts and disbeliefs as being heretical and though, later, it was acknowledged that mere disbelief in sorcery might be the result of ignorance and hence not in itself heresy, such a denial of witchcraft on the part of a cleric or other intelligent or learned man was out and out heresy, and even if ignorance were claimed as excuse, the person was worthy of being tried as a suspect.

Never perhaps has a document been more damnable than this. On the one hand a person believing in magic and admitting it, could be accused and condemned of heresy, while on the other, if he swore he did not believe in magic he could be tried and condemned for heresy for failing to believe in what was a heresy.

How firm a hold the belief in magic had upon

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all classes, may be judged by the fact that the insanity of Charles VI of France was declared the result of sorcery, and to cure the monarch, the Maréchal de Sancerre, in 1397, sent two Augustinian sorcerers to Paris in the king's behalf. After certain incantations, it was said that the king regained his senses, but only temporarily, and when, at the end of a week, he was again a maniac, the two sorcerers charged the royal barber and a porter of the Duke of Orleans with practicing their magic on their king. The two were thereupon arrested, but as nothing could be proved they were finally released. Meanwhile, the two official sorcerers had a jolly life living on fat salaries, but finally were ordered to name the sorcerer who was the cause of the monarch's trouble.

They were in a rather tight fix, but thinking, perhaps, it was as well to die for a sheep as a lamb, they brazenly named the Duke of Orleans. This was too much, and under threat of torture the two confessed themselves sorcerers and invokers of demons. They were accordingly tried, and although they had been employed by the authorities as sorcerers and had been paid to exercise their black arts, yet they were condemned, beheaded and quartered as punishment for being what they were hired to be.

Yet this example did not deter others. In 1403, a priest named Ives Gilemme boasted that he held three demons in his employ and, in company with a locksmith, a clerk and a lady, who also claimed

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to have demons under their control, he offered to cure the king and was permitted to have a try at it. As a preliminary, the magicians asked to have twelve men laden with chains placed at their disposal. These they confined in an enclosure, and proceeded with their invocations. Naturally no beneficial results followed, and the four sorcerers declared their failure due to the fact that the chained men had crossed themselves. The authorities declined to accept this explanation, however, and Gilemme and his companions were tried, condemned and duly burned at the stake.

Despite such exposures the belief in sorcery continued to flourish, and when Jean Petit undertook to defend Jean sans Peur for assassinating the Duke of Orleans, he did so by raking up the old charge to the effect that the Duke had caused the insanity of the king by magic. He went even farther and not only gave the most minute details, but even named the two demons in the case, Hynars and Astramein, whose assistance had been invoked.

Another celebrated and remarkable case was that of Gilles de Rais, Maréchal of France, who was tried for sorcery in 1440. He was charged with taking the lives of pregnant women and of killing children in order to make use of their blood in writing conjurations which brought him wealth and honors.

Although one of the most eminent, intellectual, wealthy and important men of his day, he wasted his fortune and led a dual life. On the one hand he



THE WITCHES' SABBATH

From an old print

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appeared nothing more than a thoughtless wastrel, a gambler and a rake, while on the other he was the foulest of the foul, indulging in unnatural practices and vices, and taking the greatest delight in torturing children whom he finally killed. Naturally gossip was spread and the credulous public and priests, instead of deeming the Maréchal a degenerate madman, saw in his actions the practice of black arts. And when, in the end, he was tried, he calmly confessed to the charges, implicated as his chief magician, a man named Francesco Prelati, and named a familiar demon Barron, whom he invoked. Yet he was not convicted by the Inquisition but was absolved, the charge of heresy not having been proved. He was next tried by the secular courts, charged with the murder of children. This he also freely confessed. This time he was found guilty and sentenced to be hanged and burned—a merciful death for such a monster, considering that mere heretics were burned without hanging. On the way to the execution the church dignitaries and the population formed an imposing procession, all praying and chanting for the fiend's salvation. He was honored with a magnificent funeral, and some of his bones were preserved by his family as revered relics. It is interesting to note that unquestionably it was this man who gave rise to the story of Bluebeard. In La Vendee, Anjou and Pitou in Brittany, where the sorcerer-baron had his residences, he is known always as "Bluebeard"

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and tradition relates that a familiar demon changed the Maréchal's red beard to blue. Even to-day the ruins of his castles are approached with fear and trembling by the natives, and in Breton ballads the names of the Baron de Rais and Bluebeard are used synonymously.

Still another example of the popular and ecclesiastical belief in sorcery is that of Don Enrique de Aragon, or the Marquis of Vilena. Apparently the young Marquis' first dabblings in sorcery consisted of interpreting dreams, omens and other portents, and as he grew older his magic consisted entirely of writing a book on the subject in which he declared magic was a forbidden science of whose forty varieties he gave a complete classification. He even went farther and attempted to explain all so-called supernatural and magical occurrences as natural, especially the evil eye. Yet despite this, popular report credited him with being a most accomplished magician. It was claimed that he could cause himself to be cut up and packed in a flask so as to become immortal—perhaps the result of his having written a book on the *Art of Carving*. But this was not the least of his powers. He could render himself invisible. He could turn the sun blood-red at will. He brought rain and tempest. He divined the future. Every theme of magic was attributed to him and he became the prototype of the popular magician of the Spanish stage. Even though he was reviled by all and was threatened by the Church,

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the fact that he was of royal blood appears to have saved him from trial or punishment, although after his death, his books, papers and other possessions were publicly burned in the plaza of the Dominican convent in Madrid.

Still, the Inquisition was greatly handicapped and found the suppression of practitioners of black arts a delicate and difficult matter. It was a great question as to just what was and what was *not* magic and sorcery. Not only were the inquisitors at a loss to agree on this question, but many of the most eminent and enlightened clerics held that it was all nonsense, that all alleged witches, wizards, diviners and sorcerers were mere charlatans, and that charlatans were not necessarily heretics. They admitted that much evil was wrought by these practitioners, but they declared that they were amenable to the secular rather than the ecclesiastical law for punishment. Indeed, they even went much further and boldly announced that belief in sorcery and witchcraft was far more heretical than to practice such things, and that if the inquisitors took the matter seriously and prosecuted alleged witches, it proved that they believed in magic and hence that they were themselves heretics.

Had this stand, taken by the more intelligent priests, been adopted and accepted it would have done more to stamp out sorcery and magic than all the prosecutions and sentences of the Inquisition, for there is nothing more efficacious than ridicule

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as a means of destroying superstition. But the Church, by its recognition of witchcraft as a reality, and by punishing persons for dealing with demons, thereby put the official stamp of actuality upon such ridiculous matters and fostered belief and superstition, thus defeating its own ends.

Moreover, conditions varied greatly in the various parts of Europe. In Spain there were very severe penalties provided by law for anything savoring of occult practices, and the provisions for such, as embodied in the *Fuero Juzgo* were little less rigorous than in the ancient Roman laws. On the other hand, the Teutonic countries were so steeped in folklore, fairy tales, superstition and the practice of sorcery that to have punished or prosecuted all who might be regarded as sorcerers would have been to prosecute practically every member of the population. As a result of all this, the Inquisition proceeded somewhat warily when it undertook the prosecution of men and women charged only with being sorcerers or witches, and even when such were found guilty they were customarily absolved upon abjuring the devil and repenting of their deeds. In fact, at that period, the secular law dealt far more severely with practitioners of the black arts than did the Church, and large numbers of alleged witches and sorcerers were annually put to death by their fellow citizens.

Finally, there was the fact that many obviously devout and orthodox members of the Church were

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more or less believers in and even practitioners of the prescribed arts. Gerbert de Aurillac was appointed Archbishop of Reims and Ravenna and eventually became Pope, and yet he had gained a widespread fame as a necromancer in Spain,* while the Archbishop of Besançon, as well as other inquisitors, frequently employed diviners and sor-



BURNING WITCHES

From a German print of 1555

cerers to enable them to detect heretics. This inconsistent attitude of the Church was not so remarkable when we remember that the priests, friars and even the higher prelates were but one or two generations

* It is of interest to note that one of the accepted proofs of Gerbert de Aurillac's necromancy was that he declared the earth to be a sphere and had made a model depicting the Tropic of Cancer and the Arctic Circle traced upon it. He was not, however, the first to claim the spherical character of the world nor did it originate with him. He merely adopted the theory from the Arabian philosophers who for centuries had been aware that the earth was a sphere.

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removed from absolute paganism and barbarism, and that they had been born and bred in the midst of superstition of the most flagrant sort. Moreover, they were largely illiterate, they knew nothing of the laws of nature, of science nor of the universe, and to question, even to attempt to explain or interpret the inexplicable and miraculous occurrences related in the Bible, was equivalent to heresy. They were surrounded by the mysticism of their own religious teachings, and it required no more credulity to believe in witchcraft or sorcery than to believe in the miracles of holy writ. Finally, we must bear in mind that the inquisitors, as well as the other members of the clergy, were usually natives of the districts wherein they were stationed and hence had a racial tendency to believe in the same things as those they were supposed to prosecute. Oddly enough, the most enlightened views on the subject were those held by the members of the Church in Ireland, Scotland and England where—especially in the cases of the two former countries—superstition of all kinds was rampant. Yet, as early as the ninth century, an Irish Council anathematized any Christian who believed in the existence of witches and compelled him to recant before admitting him to reconciliation. Yet, a century after this advanced view—which if carried out to the letter would have gone hard with the majority of the clergy—Poppo, Archbishop of Treves, solemnly averred that he had given a piece of his cloak to a

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certain nun who was to make from it a pair of slippers to be used when saying Mass, but that she so bewitched him that as soon as he put on the shoes he found himself dying of love for her. He nobly resisted his desire, and, to test his theory of her witchcraft, he gave the footgear to one of his prelates without mentioning his own sensations, whereupon the priest had exactly the same feelings. Being still in doubt, the worthy Archbishop had the slippers worn by every member of his clergy in turn and with the same results. In the face of such overwhelming evidence the offending nun was expelled from the convent, and the Archbishop, perhaps thinking he had erred in tempting her to practice her arts by commissioning her to make the slippers, made a penitent pilgrimage to Palestine.

With such eminent members of the Church believing implicitly in witchcraft on the continent, it was both a delicate and a difficult matter for the most zealous inquisitors to take very drastic action, whereas in England, the Anglo-Saxons in their blunt, matter-of-fact and unimaginative way, calmly made laws classing witches and diviners with perjurers, murderers, strumpets and other malefactors who were ordered to be deported, executed or fined according to the extent of their activities. There was no question of their having dealings with evil spirits, no question of heresy, no question of there being "anything in" their magic. They were merely common criminals, and it was not until the Norman

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Conquest, when the belief in witchcraft was introduced from the continent, that witchcraft won any considerable number of followers in Great Britain. Even in Scandinavia the authorities regarded alleged sorcerers and possessors of occult powers in the light of malefactors, and frowned on any belief in their claims. On one occasion King Olaf of Norway had his entire district ransacked for alleged sorcerers, and gathering them together in a great hall, served them with a feast and an abundance of wine until all were drunk, whereupon he had the place fired, thus at one fell swoop eliminating all these disturbers of the peace in his community. Under such conditions necromancy was not a healthy profession in which to engage, and the secular authorities of Great Britain and of Scandinavia left little work for the Inquisition to do when it came to the question of witchcraft. But elsewhere in Europe it was a very different matter. In fact the activities of the Inquisition in suppressing witchcraft only resulted in a firmer and more widespread belief in and practice of necromancy, until by the end of the twelfth century, all attempts to suppress it were practically abandoned. One reason for this was doubtless the rapid increase in more dangerous forms of heresy, the innumerable new sects that sprang into existence, the schisms that arose, which kept the machinery of the Inquisition working under full pressure with little time to devote to the minor question of witchcraft. Even when, on occasion,

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a person was prosecuted for practicing necromancy, the penalties imposed were usually nothing more severe than excommunication, though frequently during trials for more serious heresies evidences of the accused having practiced witchcraft would be used against them. Thus, when the heretics were burned at Besançon, in 1180 little rolls of parchment inscribed with compacts made with Satan were discovered hidden beneath their skin under the arm-pits, a fact that proved beyond question that no mistake had been made and that the condemned wretches were out and out heretics.

Still, occasionally, some poor witch or wizard was brought before the Inquisition and was tried, condemned and duly burned, and with the adoption of torture as a means of bringing confessions from unwilling lips, these cases became more common. And in almost exact ratio with the decrease of flagrant heresies these cases increased. The machinery of the Inquisition had to be kept in motion. As fuel for inquisitorial fires became exhausted in one direction it was sought in another, and witches and necromancers were the most abundant and easily obtained fuel to be found. Despite the fact that under Boniface VIII canon law provided that witches and similar offenders were to be left to the secular authorities for trial and punishment unless manifest heresy were involved, it was not difficult for the zealous inquisitors to stretch matters so that *all* occult practices came under the classifi-

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cation of manifest heresy. Even those forecasters of future events who, heretofore, had been employed by priests, prelates and kings as regular attendants, now came under the ban of the Inquisition, the inquisitors holding that as ordinary mortals could not forecast the future nor find lost or hidden articles, the ability to do so proved conclusively some collaboration of demons and hence heresy. Had they not been so tragic some of the rules and regulations established by the Inquisition at that time would have been most amusing. For example, it was held that "if a person invoked a demon thinking it no sin he is a manifest heretic; if he knows it to be a sin he is not a heretic but is to be classed with heretics, whereas if he expects a demon to tell the truth it is the act of a heretic, and to ask a demon, even without adoration, that which depends upon the will of God or of man, or upon the future, indicates heretical notions as to the power of demons." In short, under such a rule it was not necessary to inquire into the motives of those who supposedly invoked demons—all were heretics or to be classed with heretics, which amounted to the same thing in the end.

Thus when sorcery came more fully than ever before under the jurisdiction of the Inquisition it came simply and wholly as heresy. The Church was concerned exclusively with belief. Actions were of interest and value simply as evidence of belief, and all heresies were equal in guilt regardless of

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whether the witch had brought about the death of a human being, had sold a love potion to some credulous client, had foretold the future or had wrought some spell for either good or evil. Yet of the two courts the accused sorcerer was in a way safer in that of the Church than that of the State. The Inquisition might permit the accused to escape serious punishment if he abjured, expressed penitence and performed penances, for the Church desired to save souls rather than to destroy bodies, whereas the secular authorities cared nothing for either and all witches found guilty faced the stake. To be sure, it is a question if the latter fate was not preferable to some of the cruel penances imposed by the Church, and doubtless many a torn, racked and tortured being felt that being burned to death would be a vast relief from the horrors to which he was subjected as a means of saving his soul.

Naturally, as the Inquisition was engaged in prosecuting sorcerers on the grounds of the heresies involved, it could not consistently try those who were avowedly non-Christians. Infidels and Jews could scarcely be brought before a Christian tribunal and charged with heretical practices as offenses against a faith in which they never had believed. A man could not relapse from a religion he had never acknowledged, and hence both by custom and by law—witness the strict injunction of Philippe le Bel in 1331, which forbade the Inquisition to take cognizance of sorcery of the Jews—only Christian

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witches were brought before the Inquisition. Yet the others were amenable to the secular laws which took no cognizance of creed, and the poor, deluded, superstitious people were literally between the devil and the stake.

But as the Inquisition became more zealous in its witch-hunting, and as a direct result witchcraft and sorcery of all kinds spread and increased, it was soon discovered that more drastic measures than penances and abjuration were needed, so it resorted to its former practice of turning over all who were adjudged guilty to the secular arm. And as there was but one penalty for sorcery that was recognized by the secular authorities, the human holocaust became general.

Just as in the prosecutions of other forms of heresy, no one was exempt. Peasant, priest, prince or prelate all were equally liable to be accused of witchcraft, which was a far more difficult charge to disprove than plain heresy.

Even Boniface VIII was accused by the Assembly of the Louvre, in 1303, of having a familiar demon who kept him informed of all events that happened, and he was openly charged with being a sorcerer. About the same time the Bishop of Litchfield and Coventry, who was treasurer to King Edward I, was accused of consulting the devil. He was tried by the Inquisition and was only saved by the intervention of the monarch and of Pope Boniface. In 1308, the Sire d'Ulmet was tried in Paris, charged

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with employing sorcerers to kill his wife, and while he personally escaped with a penance—and a heavy “contribution”—the women whom he had employed as witches were burned or buried alive. In 1315, Enguerrand de Marigny, brother of the Archbishop of Sens, was accused of instigating his wife and sister to employ a man and woman to make wax



A WITCH TRIAL

The oath and water tests. From a print of 1250

figures that would cause the king and others to die. He was found guilty and hanged on May thirtieth. The male sorcerer was hanged with him, the female witch was burned at the stake, and the wife and sister were condemned to imprisonment.

There was, however, a sort of retributive justice in this case, for exactly the same methods and proceedings that brought Enguerrand to his ignominious end had been instigated and practiced by him and

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his brother, the Archbishop, in their prosecutions of the Templars, and the very gallows on which he was hanged had been erected by him for the hanging of Templars. Here it may be well to call attention to the fact that, in nearly every case, the trials of Templars by the Inquisition were on the accusations of sorcery and dealings with Satan rather than out and out heresy.

Although there is a distinction rather than a difference between necromancy and witchcraft, yet, for many years, the Inquisition did not bother with witches or witchcraft, although relentlessly persecuting sorcerers and magicians, for apparently witchcraft was not included in the Inquisition's lists of acts and beliefs that constituted heresy.

For that matter, witches, or "old wives," were regularly employed for brewing draughts for curing ills, they were consulted on many matters, and it was not until the University of Paris issued its decree to the effect that all superstitious practices were heretical, as implying a tacit pact with the devil, that witchcraft became included with other heresies. Almost immediately any woman who culled herb simples or muttered charms or sold talismans became a heretic in the eyes of the inquisitors.

That the theologians of the thirteenth and fourteenth centuries—and later—should have believed in witchcraft is the more remarkable in view of the fact that as early as the ninth century it was sensibly

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regarded as utter nonsense. In a document of that date it is stated: "Some wicked women, reverting to Satan, and seduced by the illusions and phantasms of demons, believe and profess that they ride at night with certain beasts, with a multitude of women, passing over vast distances, obeying the commands of Diana and evoked by her on certain nights. It were well if they alone perished in their infidelity and did not draw so many with them, for innumerable multitudes, deceived by this false opinion, believe all this to be true, and thus relapse into pagan errors. Therefore priests should preach that they know this to be false and that such fancies are sent by the Evil Spirit who deludes them in dreams. Who is there who is not led out of himself in dreams, seeing much in sleeping that he never saw waking? And who is such a fool that he believes that to happen to the body which is only done in the spirit? It is to be taught that he who believes such things has lost his faith and he who has not the true faith is not of God but the Devil."

This sensible if rather overdone discourse on the subject of witches was from the Council of Anquira, but instead of causing the priests and the people to lose faith in witchcraft and to treat it as a superstition or the result of dreams, it paved the way for the relentless persecution of all the addle-pated, superstitious and deluded old women who were thought to be or thought themselves to be witches. Did it not state positively that such were "revert-

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ing to Satan"? Did it not state that "it was well if they perished in their infidelity"? Did it not declare that those who were led to believe in them "relapsed into pagan errors"? And did it not say that "he who has not the true faith is of the Devil"? Most assuredly; and hence they were all heretics to be destroyed. It does not appear to have occurred to the inquisitors at the time that the document also stated that those who "believed" in witchcraft were equally relapsed, that the alleged witchcraft was merely dreams for which the dreamer herself was not responsible, and that he who believed such things had lost his faith, and hence the priests themselves, who credited the truth of reports of witchcraft or who tried others on the charge, were "believers" and consequently heretics!

Moreover, the common sense of the semibarbarian Europeans of the ninth century seems to have disappeared with the increase of culture, education and intelligence, for in 1211, Gervais of Tilbury declared that he personally knew women who thus flew at night and that if any one of them incautiously pronounced the name of Christ she was precipitated to the earth and killed.

Half a century later, Jean de Meung says that those who ride at night number a third of the population, and among the accepted questions in the formula of the Inquisition was the query as to the night riding habits of the accused.

So, despite the fact that the Church in its canons

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regarded witches as fiction and denounced as heretical the belief in witchcraft, nevertheless the priests could not rid themselves of a secret faith in the supernatural abilities of certain persons. As they believed Satan quite capable of doing anything and of appearing in concrete form, they salved their consciences by declaring Satan to be at the bottom of such inexplicable occurrences, for a belief in a living and visible Evil One was quite orthodox.

Thus, when certain heretics were accused of worshiping cats and other beasts and of witchcraft in connection with them, the inquisitors declared that the cats and other beasts were merely Satan who had taken their forms, and hence the occurrences were brought about, not through witchcraft or the people themselves, but by the machinations of the devil. Even that most sincerely orthodox Dominican, Thomas of Cantone, referred to demons who transport men and women from one place to another and delude them into worshiping mortals. Others, he said, carried off women, replacing them with insensible images who were buried for the dead. Also, under threat and torture, many women confessed to night riding and similar forms of witchery along with other heretical practices and beliefs, and as illusion did not appeal as an explanation, the inquisitors were at a loss to reconcile incontrovertible facts with the denunciation of the Church for belief in such matters. As a result, a sharp controversy arose, some holding that the devil could

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not transport a human body, and striving to explain the facts—that they also admitted—by the theory that Satan merely created the illusion of so doing. The other faction contended that Satan could take complete control of the body, and Albertus Magnus, in the presence of the Bishop of Paris, declared that the daughter of the Count of Schwalenberg was thus carried away nightly for several hours.

In 1458, the Inquisitor Nicholas Jaquerius hit upon a theory that seemed to fit the case and to be the true explanation. He declared that witches were those whose bodies had been given to Satan and were indelibly marked (probably birthmarks) so they might be known. But, he added, even if the affair was an illusion it was heretical. Then, thirty years later, Sprenger went a bit farther by arguing that as the Sabbat of witchery was an illusion, all witchcraft was illusion and hence not heretical. In rebuttal, the Inquisitor Bernardo di Como, in 1500, triumphantly pointed out that many persons had been burned as witches, that this could not have been done without the consent or the approval of the Pope, and that this was sufficient proof that the heresy was real, as the Church punishes only for manifest crimes.

But Fra Bernardo had a learned opponent in the person of Gianfrancisco Ponzinibio who wrote quite a voluminous work on witchcraft. He adduced records, authorities and a mass of material to prove that the whole matter was impossible and illusion-

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ary; he argued that confessions of witchcraft should be cast out as they admitted that which was impossible, and he declared that the evidence of so-called witches should be rejected as it was given by deluded persons with the object of deluding others. About the only result of this was to bring a tirade of abuse upon the author's head, and the demand that the Inquisition should proceed against him as a defender of heretics.

The question had now passed beyond common sense reasoning. One keen mind, Bartolomeo de Spina, pointed out that if belief in witches being carried corporally through the air was heresy, inquisitors should insist upon the accused abjuring this belief with others. Hence, he argued, in that case all inquisitors holding to the opinion that such a belief was a heresy and not an illusion, must themselves abjure their belief and do penance! But regardless of quarrels over the niceties of the case, belief in witches and witchcraft had long since become general and accepted throughout Europe. In 1450, the Inquisitor of Como, Bartolomeo de Homate, had all his lingering doubts put to rest when, in company with the podesta, Lorenzo da Concorezzo, and the notary, Giovanni da Fossato, he visited a meeting place of witches near Mendrisio, and from a place of concealment witnessed their orgies and incantations. Just how the worthy inquisitor and his friends managed it he did not relate. But he declared in all seriousness that the

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presiding demon set his followers upon the officials who were so beaten that they died within fifteen days. There was no question that the three died and that they died from beatings received, but the chances are that the thrashings were administered by friends or relatives of some unfortunates who had been tried and condemned by the friar and that—either by a delusion or to provide a reasonable excuse for having been so degraded—the inquisitor invented the witch story.

But all this, all the examples set by the clergy, only tended to make stronger and more universal the belief in sorcery and witchcraft. And as is ever the case, the wider and more universal the superstition became the greater became the field for self-constituted witches. They sprang up on every side, and within a short time—and for a number of years—the prosecutions of the Inquisition were very largely those of heretics whose heresy was proved by their confessions of witchcraft. Just as a new religion will attract thousands, so witchcraft attracted its thousands, and the fact that practitioners might at any time be charged with heresy and put to death appears to have had little deterrent effect.

In Swabia a case occurred where a child of eight innocently confessed to being a witch, stating that her mother had dedicated her to Satan. As a result, the mother was tried, condemned and burned. Witch midwives did a thriving business in every community, and it began to look as if the business

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of the Inquisition would soon be that of punishing witchcraft, and that heresy would take second place. The wildest, most impossible stories were told and were vouched for by the most eminent and trustworthy personages.

One official declared that while on a tour of duty he came to a village where every one was dead or dying of the plague. He was told that a woman recently buried had been a witch, and that she had promised to swallow her winding sheet and had foretold that the pestilence would continue until she had succeeded in her posthumous task. The mayor was ordered to open the grave, whereupon the woman's body was disclosed with the sheet half swallowed. But when the head of the corpse had been cut off and destroyed the plague ceased immediately.

To understand the widespread credulity of all classes at this time we must remember that the happenings were not the wild tales of ignorant people, but were substantiated as actual facts by evidence then considered as irrefutable. The accused, reduced to despair and seeing their only hope lay in confession, would naturally confess that which their prosecutor wished them to confess. And once made it was hopeless to try to retract their confessions, for under the rules of the Inquisition that meant a relapse and death at the stake. They therefore stuck to their confessions to the end, admitted their truth when publicly read to them and in their

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desire to secure absolution essential to the salvation of their souls, they would maintain that they had confessed and sworn only to facts. To the priests and public there could be no more positive proof of the truth than this, and each confession thus made added converts to the almost universal belief in witchcraft. Moreover, we must remember that to question the truth of these confessions, even to question a belief in witchcraft, was, technically, heresy. It even went so far that several papal bulls set forth the malignant powers of witches, and the University of Cologne, in 1487, warned every one that to argue against the actuality of witchcraft was to incur the guilt of impeding the Inquisition.

Still, the Church was between the devil and the deep sea, for it was an accepted fact that the Church had no remedy for the evils wrought by witches. Once the spell had been cast the victim had no remedy nor relief on earth or in Heaven. The only cure possible must come from Satan through the medium of other witches. Yet to permit a witch to invoke a demon to relieve the victim of another witch would be, according to ecclesiastical law, a tacit pact with the devil and hence heresy. No priest nor inquisitor would dare jeopardize his soul or his freedom by suggesting or approving such a course, yet there were instances where the Church did just that thing.

There was the case of a German bishop who, while in Rome, fell madly in love with a young girl

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and induced her to accompany him. On their journey she tried to destroy him by sorcery in order to steal whatever jewels and gold he owned. Obviously she was not a past mistress of witchcraft, for the erring bishop did not succumb, although each night he was seized with a terrible pain in his chest that baffled all the physicians, and his life was despaired of. Finally an old woman declared him to be the victim of a witch, and stated that his life could be saved only by witchcraft that involved the death of the bewitcher. The bishop's conscience would not permit this, so in despair he appealed to Pope Nicholas V who granted the sick bishop a special dispensation. Thereupon the old woman cast her spell, the bishop at once recovered and hurried to the girl who was dying in his stead. Naturally she was peeved at having her spell react to her own undoing, and cursing the bishop, she died devoting her soul to Satan. As Bodin naïvely remarks, the devil in this case was so cunning that he made a pope, a bishop and a witch obey him and become his accomplices in a homicide.

But the other features of the case were far worse in its way than the devil getting the best of a pope. A very profitable trade sprang up in working spells to offset other spells, and while the witches that thus confined their skill and their devilish powers to good works were, technically, as liable as evil witches to be prosecuted, still the Inquisition recognized that there were degrees of witchcraft as well as of other

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crimes, and when a witch could prove that her sorcery had been confined to relieving tortured souls and bodies, the penances imposed upon her were comparatively light.

There was another curious quirk to this new business: According to belief the only means of releasing a person from a spell was to transfer the spell to some other person, and the curative witches soon took to declaring, as a defense, that they had taken care to transfer the spell to some person known to be a heretic, thus aiding rather than impeding the work of the Inquisition.

Witchcraft was a risky business, remunerative as it was. It did not take much to cause one to be accused or tried for witchcraft. Merely for some peeved or bad-tempered woman to say, "you'll be sorry for this," if followed by ill luck or sickness on the part of the one addressed, was sufficient to justify trial, and, often, condemnation. There would be plenty of accusers—enemies, gossips and others, who having had ill luck, sickness or misfortune of any kind would unhesitatingly attribute it to the accused.

The only difficulty was that the uncanny powers of the witch so far exceeded the powers of the Church—in the estimation of the public—that it was very difficult to find any one to betray her or to arrest or molest her. But the Inquisition found a remedy for this by declaring that, through the goodness of God, a witch instantly lost all her power

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the moment the hand of an officer of the Church was laid upon her.

Apparently, however, the inquisitors did not possess an over amount of faith in this assertion, for when witches were brought before them it was the rule that they must be made to enter the court backwards so the inquisitor could have the first glance. All inquisitors and their assistants were also warned to be careful not to let a witch touch them, and to wear a bag of holy charms and to cross themselves frequently when trying witches.

Even the Church, with all its powers and faith and means of confounding the devil, appeared at times to be unable to cope with witches. In the records of the Inquisition we find numerous reports of witches enduring the most excruciating tortures without flinching, which fortitude, instead of proving innocence, convicted them the more, for, so reasoned the inquisitors, only by being possessed of the devil could human beings suffer such agony. Others refused to burn when at the stake, and it is on record at Ratisbon that several condemned witches remained unharmed amid the flames. Equally in vain were they submerged in the river and again roasted. They were veritable salamanders, and it was only after a three days' fast of the whole city that it was revealed that the witches had charms secreted under their skins. Upon these being removed they burned as readily and as completely as ordinary mortals.

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It was not until the Church had secured practical control over the State that it used other than half-hearted methods to extirpate the existing beliefs and practices regarded by it as heretical. But once it started on its campaign, the Church carried it to the extreme. Zeal for the extermination of every form of magic was stimulated by the conviction that it was an essential part of the battle against a living, personal Satan. Ever in the background blazed those awful Mosaic words, that through the centuries have served as justification for the slaughter of countless thousands of innocent men and women: "Thou shalt not suffer a witch to live!"

It was not so difficult to deal with such time-honored practices as divination, soothsaying and astrology. Such were easily ferreted out, and the harmless charlatans were promptly put to death, for the possession of books on the occult arts, mysterious cabalistic appliances and similar devices were *prima facie* evidence of guilt.

The rapidly increasing prosecutions for witchcraft received additional impetus from Pope John XXII who, though a learned theologian, believed implicitly in all the marvels of magic and dreaded witchcraft and witches as he did the devil in person. In 1317, he ordered Gaillard, Bishop of Reggio, to try a poor barber-surgeon, Jean d'Amant, and a number of clerks of the papal palace for attempting to use sorcery to cause the death of the Pope. Under torture, they confessed having plotted to poi-

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son the pontiff, but this failing they had resorted to spells, and they proceeded to enumerate the many weird and terrible things they could do by the aid of demons. Naturally, they were condemned and duly burned. Next, the Pope turned his attentions to Robert, Bishop of Aix, who was accused of practicing magic in Bologna, and throughout Christendom he waged a war of extirpation upon all sorcerers and suspected sorcerers. Yet in spite of this—or rather because of it—the practices grew, and in 1330, John wrote to his prelates bitterly complaining that demon worship not only continued to flourish but appeared to be spreading. Yet before he died this credulous pontiff, who unwittingly added fuel to the fire of superstition, was himself accused of heresy and heretical practices by King Philippe de Valois.

The steady increase of sorcery under the strengthening influence of its recognition as a tangible thing by the Church, is easily traced. Thus, in the book of sentences of Bernard Gui, recording the results of the inquisitorial trials in Toulouse from 1309 until 1320, there is not a case of sorcery recorded. In 1320, several were tried; in 1321, there were still more, and in 1328 and 1329, they outnumbered other trials with a number of convictions.

About this time the Inquisition hit upon a new scheme that was designed to more efficaciously wipe sorcerers from the face of Europe. In every abjuration administered to repentant heretics there

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was inserted a clause renouncing sorcery, so that should the penitent ever indulge in the occult thereafter he, *ipso facto*, became a relapsed heretic, and burning became compulsory.

Yet not only did such extreme measures fail to suppress magic, but even the clergy became infected with the contagion. In 1323, some shepherds' dogs began digging at a crossroads near Paris, and the authorities, having been informed, disinterred a box containing an imprisoned black cat, some blessed oil, some holy water and a few charms. The box was identified as having been made by a local carpenter, Jean Prevost, who, when put to torture, not only confessed but implicated the Cistercian abbot of Sarcelles, several canons, a sorcerer, Jean de Persant, and a Cistercian monk. According to the story, the abbot had lost a sum of money and had employed the sorcerer to recover it and find the thief. The wizard had employed the carpenter to make the box in which the cat was to remain for three days, when it was to be killed and its skin cut into strips with which to form a circle. Within this circle a man was to stand and invoke a demon who would name the thief and the hiding place of the money. All of course were duly tried. The carpenter, fortunately for himself, died before he could be executed, but his body was burned in the same pyre that put the sorcerer to death, while all the clerics involved were punished by perpetual imprisonment. Again, in 1329, Henri de Chamay, was accused of sorcery, and

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after a trial lasting for more than three years, finally confessed and was condemned to perpetual imprisonment in chains on bread and water. With every conviction the belief in witchcraft was more firmly established. Every unusual occurrence, every recovery from severe injuries or illness, every failure of crops, every flood, every storm, every still-birth, every possible happening not absolutely in accord with normal conditions was at once laid to sorcery. The Church believed in it, the Inquisition recognized and prosecuted it. Therefore, argued the ignorant public, there must be something in it; it must be possible to make compacts with demons, to make spells, to forecast events, to injure or aid others by sorcery. When, in 1325, the Franciscan, Richard Ledrede, Bishop of Ossory, began prosecuting alleged witches in Ireland, he at once elevated what had heretofore been regarded as a rather petty felony to the status of a crime involving familiarity with all the powers of darkness.

Among these whom he prosecuted was the Lady Alice Kyteler of Kilkenny. The Lady Alice had had four husbands, in itself a rather remarkable record in those days and which might have been charged to sorcery. But the charge brought was that the much-married Lady had killed her husbands by sorcery after having bewitched them into leaving their property to her and her eldest son, William Outlaw. Naturally there was a Negro in the wood-pile in the form of the children who had been left

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ill-provided for, and who brought the accusation of sorcery, not so much to have Lady Alice punished, but as a means of breaking the wills of the bewitched husbands. But Bishop Ledrede took the matter very seriously and, quite ignoring the obviously ulterior motives in the case, summoned Lady Alice before the Inquisition. Unfortunately for him, Lady Alice and her son were related to the most prominent officials of Erin, and, moreover, there were no recognized canons against heresy in the island. As a result, the bishop had a hard row to hoe and was himself arrested and thrown into prison. But that setback only increased his zeal, until in the end, he emerged triumphant. To be sure, Lady Alice escaped him and made her way safely to England, but her alleged accomplices were quite satisfactory substitutes to the bishop. As the use of torture was prohibited in Great Britain, the diligent inquisitor made little headway until he bethought himself of the whip. Having mercilessly flogged a waiting maid named Petronilla he induced her to confess to being a skilled sorceress but inferior to her mistress. She detailed many of the black arts she had practiced and admitted she had acted as go-between for Lady Alice in the latter's dealings with the demon. She implicated several others, and with them was burned at the stake. Whether or not the dissatisfied heirs were successful in having the deceased husbands' wills altered in their favor is not recorded.

SUPERSTITION, SORCERY AND WITCHCRAFT

Naturally, news of this noted case spread rapidly over Great Britain, and as a direct result witchcraft trials sprang into prominence. In England, twenty-eight persons were accused of employing a certain John of Nottingham and an assistant, Richard Marshall of Leicester, to manufacture wax figures for the destruction of King Edward II, the Prior of Coventry and others. But this trial was carried out under the secular law, and though the evidence of guilt was conclusive the jury brought in a verdict of acquittal.

It was about this time that the Church, finding its efforts to suppress sorcery were making little progress, hit upon a plan of ordering all witches, diviners and sorcerers, known or unknown, to be excommunicated at Mass every Sunday in all parish churches; a blanket penalty that served only to increase the interest and study of black art.

The contrast between the attitude of both laity and Church in regard to sorcery as exemplified in England and on the Continent, is of interest and explains in great measure why witchcraft never took a firm hold in Great Britain. On the Continent sorcery was taken seriously, it was discussed by the most learned men and was implicitly believed in by the clergy. But in Great Britain it was regarded as a petty and rather ridiculous and absurd thing even if contrary to law. In fact, the stand taken towards sorcery in England was much the same as the attitude towards prohibition in our country.

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Thus, when in 1372, a man was arrested in Southwark and was found to possess books on magic, and the head of a corpse, he was brought before Sir J. Knyvet in the King's Bench, was reprimanded, sworn not to practice sorcery in future, and was forced to pay for the burning of the dead man's head and his magic books. And when Thomas Northfield, a Dominican friar of Worcester, the Dominican, John Ashewell, and a clerk, John Virby, were summoned before the court, and numerous books of magic and sorcery in their possession were presented as evidence, they were merely placed under bonds for good behavior.

At the same time, in France and elsewhere in Europe, scores of persons tried by the ecclesiastical courts were being burned, hanged, drawn and quartered for less. Yet, in Great Britain, sorcery, magic and witchcraft died a more or less natural death, only appearing sporadically and then usually being brought into prominence for political reasons, as in the case of the celebrated Witch of Eye. In continental Europe, on the other hand, superstition found fertile ground on which to feed, and at times there were regular epidemics of witchcraft prosecutions as in case of the famous Vaudois of Arras, whereby, from a single alleged witch burned at Langres, grew the burning of twelve innocent men and women that caused a reign of terror in the district, placed hundreds of the richest and most prominent citizens in danger of their lives, placed scores

SUPERSTITION, SORCERY AND WITCHCRAFT

under torture—several being crippled for life—wrought havoc with the industries of a town, and ended in the inquisitor who had invented the whole scare being tried and executed himself.

But such outbreaks were not necessary. Witches were everywhere being burned, not by ones or twos but by scores and hundreds. One Bishop of Italy boasted he had burned more than two hundred in a twelvemonth. The Bishop of Geneva reported five hundred put to death in three months. The Bishop of Bamberg went him one better and made his own record six hundred in three months. In Wurzburg, the Inquisition saw nine hundred alleged witches incinerated. In Savoy there was a grand fiesta when eight hundred were destroyed at once, and in Pfalz one hundred and eighteen went up in smoke in one grand holocaust. Altogether, according to the records of the Inquisition, over thirty thousand sorcerers and witches were burned at the stake during a little more than one century, or an average of nearly three hundred a year, but it must be remembered that practically all of these were put to death within a period of less than fifty years.*

* It is impossible to estimate the number of persons tried and executed for alleged witchcraft. In Lorraine, nine hundred were burned in fifteen years. At Leith, Scotland, nine women were burned at one time in 1664. In 1692, twenty men and women were hanged or pressed to death in Salem, Massachusetts. In Italy, forty-one women were burned in one province alone. In Germany five hundred were burned in 1515-16. In the district of Como one thousand died in 1524, and for several years thereafter over one hundred were burned annually. At Verneuil, France, five women were burned at once on the charge of having assumed the form of cats. In Scotland, during

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Yet terrible as are these figures, fearful as was this blot upon the history of Christianity, it is doubtful if all together made such a lasting impression upon the public mind as the trial and burning of a single woman—Joan of Arc.

thirty-nine years, over two hundred were burned each year. For years Cologne burned three hundred witches annually. Other French cities burned two hundred yearly. In Lindheim, thirty were burned between 1660-64. At Labourt, over two hundred were burned. At Mohra, Sweden in 1669, seventy were burned, fifteen children being consumed in one fire. Fifty-six children were tortured but not executed.

CHAPTER IX

THE CASE OF JOAN OF ARC

THE story of Joan of Arc is familiar to all and an account of her life, prior to her capture and death, has no place in a work devoted to the Inquisition. But the subsequent events—her trial, condemnation and execution—are of interest and importance in this connection as illustrating to what extent the inquisitorial machinery, designed for the most laudable functions, could be subverted to political purposes. Although nominally tried by the Inquisition as a heretic and condemned by the inquisitors, yet the power that set the machinery in motion, that forced the trial, that insisted upon the extreme penalty, was England. The Church would have been perfectly satisfied to have had Joan abjure her alleged heresies, declare repentance and receive absolution, but Joan, as long as alive, would have been an ever present danger to British domination in France and it was essential to the British, and to their allies, the Burgundians, that she should be put out of the way. In fact, had it been possible for them to have done so, the English would have tried her and condemned her to death themselves, but their only possible course was to so arrange

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matters that she was delivered to the ecclesiastical courts for trial. To their credit, be it said, the members of the Inquisition—with the exception of one man who was a partisan and a tool of the British—had no stomach for the affair and, for a time, flatly refused to be parties to the palpably flimsy case designed for the destruction of one lone and friendless woman.

Naturally, with the power of the British Crown, the Kingdom of Burgundy and the Inquisition against her, Joan of Arc stood no chance. Her doom was sealed before her trial commenced, and it speaks volumes for the hesitancy of the representatives of the Church that this mockery of a trial should have been so long prolonged before the final verdict that sent Joan to her death was rendered.

As every one knows, Joan of Arc was taken prisoner by Batard de Vendome. Scarcely had she been taken prisoner when discussions arose as to her possession. Although a legitimate prisoner of war, belonging by right to Jean de Luxembourg, the English wanted her badly, for they felt—as no doubt was the case—that blood would tell and that she would stand a far better chance of merciful treatment by her own countrymen than by themselves. In those days, moreover, prisoners—especially important ones—were valuable property who were subject to ransom, and it was not beyond the bounds of possibility that Joan's followers might manage to ransom her. But under the terms of the alliance with

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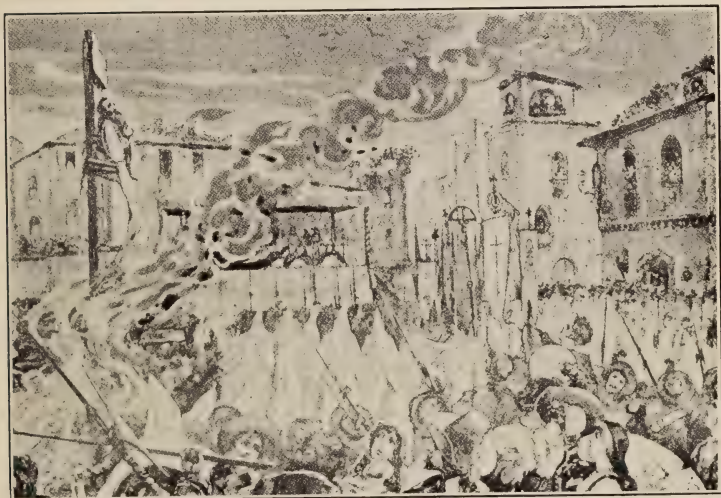
Burgundy, King Henry VI had the right to order the transfer of any captured commanding general or prince to the British, provided he paid the captor the sum of ten thousand livres. But the British treasury was in poor state and ten thousand livres would have bankrupted the king. Still, England must have Joan, not only to prevent the possibility of her being ransomed by the French, but still more in order to put an end to her alleged witchcraft and sorceries by executing her. No one doubted that Joan was a witch, and her amazing successes had been due very largely to the fear of her sorceries and the superstitious dread of her magic that filled the English soldiers. This fact, it was thought, paved the way for the poverty-stricken king to obtain possession of the prisoner and to have her put to death without payment of the ransom. By denouncing Joan to the Inquisition as a sorceress and heretic, the Church could claim her for trial, and the allied Burgundians and British had many strong partisans among the members of the Inquisition and especially in the University of Paris. So, a few days after Joan's capture, the Duke of Burgundy received a formal demand for her surrender to Martin Billon, Vicar of the Inquisition of France, backed by letters from the University. But the Inquisition, even in 1430, had lost much of its power and terror, and Jean de Luxembourg paid no heed to the demands, preferring to hold a prisoner who might well bring him a princely fortune. Then the

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British played another trump card. Joan of Arc had been captured in the diocese of Beauvais, and Pierre Cauchon, the Count-Bishop of Beauvais, although a Frenchman, was one of the strongest of English partisans and was noted for his vindictive and cruel character. Moreover, he had a bitter personal grudge against Joan of Arc, for he had been driven from his see by her troops only the year before. But even he, unprincipled as he was and with no love for Joan, flatly refused to claim her for trial when so requested by the English unless it could be conclusively proved that it was his sacred duty. Even the promise of the bishopric of Lisieux failed to sway him from this stand, and it was not until he was commanded to act by the University of Paris that he agreed. Armed with letters from the University calling upon Joan's captor to surrender her on the charges of sorcery, idolatry, witchcraft, divination, invocation of the devil and plain heresy, and, much more important and efficacious, with authority to offer a ransom of as much as ten thousand livres, Cauchon visited Jean de Luxembourg who, having no further excuse for holding his prisoner, agreed to the terms. But he flatly declined to deliver her for promises only, and demanded cash. In order to secure this the English levied a special tax on the Norman states, and it was not until October 20—nearly six months after Joan's capture—that the sum was finally paid over and the English—in the form of their cat's-paw, Cauchon—came into



BURNING OF JOHN ROGERS AT LONDON
From an old engraving



BURNING A HERETIC IN SPAIN

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possession of Joan of Arc. In the meantime she had been transferred under a strong guard to the Castle of Beaulieu, and it was while there that, learning she was to be delivered to the English, she threw herself from her tower cell into the ditch below, preferring to die rather than fall into English hands. But she escaped death or serious injury by a miracle—a fact which was afterwards used against her as proving sorcery—while her attempt at suicide was an important factor in her condemnation. After that futile attempt to escape her fate, Joan was loaded with chains and carried to Rouen where she was confined in an iron cage in a dungeon. Although she had ostensibly been delivered to the Inquisition, and legally was entitled to be kept in an ecclesiastical prison, yet the English, having paid for her, insisted upon taking charge of her person even if they allowed the Church to take care of her soul. Meanwhile time dragged on. Pierre Cauchon, when he came to study the evidence laid against the prisoner, regretted he had permitted himself to be dragged into the affair. The charges were obviously cooked up, they were flimsy in the extreme, and while he had no love for Joan and was as zealous an inquisitor as ever passed judgment on a heretic, he was—according to his lights—a devout Christian and just. But he was constantly being urged to proceed by the University while Paris, ardently Anglicized and hating Joan for having virtually blockaded the city, was becoming excited and

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was demanding her trial. Still Cauchon hesitated. Not only was he averse to going on with the crooked business, but he was an exile from his own diocese and was expected to try Joan in another province where, he felt sure, there would be obstacles. Finally he received permission to carry the trial to the vacant archbishopric of Rouen. But among the local prelates there was such a strong feeling against the trial, and such a conviction of its injustice, that several were imprisoned and it was found necessary to warn every local prelate that he would be subjected to a heavy fine if he absented himself from a single session of the trial, and that any tendency to show sympathy or partisanship towards the accused would bring down English vengeance upon his head. Even then Cauchon dared not proceed until he had secured prelates from Paris, whose expenses were paid by the English. It was not until February 21 that the inquisitorial court was ready to proceed with the case, for it had been necessary to threaten him with most severe penalties in order to force Frère Jean le Maitre, inquisitor for Rouen, to preside at the court, his services being paid for by the English.

From the very beginning, of course, the trial was a farce, a form and a travesty upon even the scant justice of the Inquisition. The ignorant, exalted, highly superstitious country girl, who to-day doubtless would be adjudged subject to mental illusions

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and suffering from emotional insanity, was faced, brow-beaten, cross-examined and tricked by the keenest, craftiest of churchmen in France. About the only thing she escaped was torture. But this scarcely was needed, for Joan in her simplicity, in her adherence to her statements that she had been inspired, in her insistence upon having heard her "voices," and by her admissions of the correctness of many of the allegations made against her, had already convicted herself. In fact, she could have been adjudged guilty of twice as many articles as the final twelve which formed the basis of her sentence.

On May 19, the court listened to the report of the University to whom the accusations and findings had been submitted, for Cauchon and Le Maitre still wished, if possible, to shift responsibility to the shoulders of others. And while a few—particularly those hired by the English in Paris—voted for the abandonment of Joan to the secular arm, equivalent to sentencing her to the stake—others insisted that Joan's admissions were too vague. They insisted that she should be given another hearing, the articles read to her, and that she should have a chance to verify them. Accordingly she was summoned, and the voluminous document was read in her presence. The twelve articles were as follows:

- I. VISIONS OF ANGELS AND SAINTS. These are declared superstitious and proceeding from evil and diabolical spirits.

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- II. THE SIGN GIVEN TO CHARLES OF THE CROWN BROUGHT TO HIM BY SAINT MICHAEL. After noting her contradictions, the story is deemed a lie and a presumptuous, pernicious thing, derogatory to the dignity of the Church.
- III. RECOGNIZING SAINTS AND ANGELS BY THEIR TEACHINGS AND THE COMFORT THEY BRING, AND BELIEVING IN THEM AS FIRMLY IN THE FAITH OF CHRIST. Her reasons have been insufficient and her belief rash. Comparing faith in them to faith in Christ is an error of faith.
- IV. PREDICTION OF FUTURE EVENTS AND RECOGNITION OF PERSONS NOT SEEN BEFORE THROUGH THE VOICES. This is superstition, sorcery, divination, vain boasting and presumptuous assertion.
- V. WEARING MALE ATTIRE AND SHORT HAIR, TAKING THE SACRAMENT WHILE IN THEM AND ASSERTING IT IS BY THE COMMAND OF GOD. This is blaspheming God, despising His sacraments, transgressing divine law, holy writ and canonical ordinances; wherefore, thou savorest ill in the faith, thou boasteth vainly and art suspect of idolatry, and thou condemnest thyself in not being willing to wear thy sex's garments and in following the customs of the heathen and Saracen.
- VI. PUTTING JESUS, MARIA AND THE SIGN OF THE CROSS ON LETTERS AND THREATENING THAT IF NOT OBEYED SHE WOULD SHOW IN BATTLE WHO HAD THE BEST RIGHT. Thou art murderous and cruel, seeking the effusion of human blood, seditious, provoking to tyranny, and blaspheming God, His commandments and revelations.
- VII. RENDERING HER FATHER AND MOTHER ALMOST CRAZY BY LEAVING THEM. ALSO PROMISING CHARLES TO RESTORE HIS KINGDOM AND ALL BY COMMAND OF GOD. Thou hast been wicked to thy parents, transgressing

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the commandment of God to honor them. Thou hast been scandalous, blaspheming God, erring in the faith, and hast made a rash and presumptuous promise to thy king.

VIII. LEAPING FROM THE TOWER OF BEAUREVOIR INTO THE DITCH AND PREFERRING DEATH TO FALLING INTO ENGLISH HANDS AFTER THE VOICES HAD FORBIDDEN IT. This was pusillanimity tending to desperation and suicide; and in saying God had forgiven it, thou savorest ill as to human free will.

IX. SAYING THAT SAINT CATHERINE AND SAINT MARGARET HAD PROMISED PARADISE IF SHE PRESERVED HER VIRGINITY. FEELING ASSURED OF IT AND ASSERTING THAT IF SHE WERE IN MORTAL SIN THEY WOULD NOT VISIT HER. Thou savorest ill of the Christian faith.

X. SAYING SAINT CATHERINE AND SAINT MARGARET SPOKE FRENCH AND NOT ENGLISH BECAUSE THEY WERE NOT OF THE ENGLISH FACTION, AND THAT AFTER KNOWING THESE VOICES WERE FOR CHARLES SHE HAD NOT LOVED THE BURGUNDIANS. This is a rash blasphemy against those saints and a transgression of the divine command to love thy neighbor.

XI. REVERENCING THE CELESTIAL VISITANTS AND BELIEVING THEM TO COME FROM GOD WITHOUT CONSULTING ANY CHURCHMAN. FEELING AS CERTAIN OF IT AS OF CHRIST AND THE PASSION. AND REFUSING TO REVEAL THE SIGN MADE TO CHARLES WITHOUT THE COMMAND OF GOD. Thou art an idolator, an invoker of devils, erring in the faith, and hast rashly made an illicit oath.

XII. REFUSING TO OBEY THE MANDATES OF THE CHURCH IF CONTRARY TO THE PRETENDED COMMAND OF GOD, AND REJECTING THE JUDGMENT OF THE CHURCH ON EARTH. Thou art schismatic, believing wrongly as to the truth and authority of the Church, and up to

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the present time thou erreest perniciously in the faith of God.

Having read these ridiculous and remarkable articles, Maitre Pierre Maurice urged Joan earnestly to submit herself to the judgment of the Church, without which her soul was sure of damnation, and he added that he had great fears for her body as well. To this Joan replied that even were the faggots lit for her destruction she would not vary from what she had already said. But when, on May 24, the sentence of relaxation to the secular authorities was being read, and the executioner stood ready to bind her to the stake and touch fire to the faggots about it, she signified her willingness to submit to the penance of the Church. A form of abjuration was read to her which she attested by making her mark in the form of a cross, and she was sentenced to perpetual imprisonment on bread and water.

The English authorities were beside themselves with rage. They had overreached themselves in their anxiety to have the Inquisition deal with their prisoner. Had they not called in the Church they might have tried Joan in a secular court on the charge of sorcery and burned her. But they had been compelled to ask aid of the inquisitorial authorities in order to secure possession of her, and they had overlooked the fact that the Church was entirely concerned with the salvation of souls and not with the destruction of bodies.

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The moment they realized what was happening and that their victim was about to escape death, a great commotion arose, a near-riot ensued, weapons were drawn, and bloodshed was narrowly averted. In her cell Joan was visited by Jean le Maitre and others and was warned against any relapse, as in that case nothing could save her from the stake. She was then urged to wear female garments, to which she consented, and these having been furnished she donned them. Whether it was done intentionally with the idea of tempting her, whether it was a still deeper plot to compel her to relapse, or whether it was merely accident, the male garments she had discarded were left in her cell.

No one will ever know the truth. Joan may have thought she heard the voices reproaching her for her weakness and may have thus been induced to resume her male clothing. Perhaps, as reported, her brutal guards abused her, beat her and ripped her clothing to rags so she was forced to put on her former clothes, or as it has been claimed and is not at all improbable, possibly the English had her female garments removed during the night so she was compelled to use the others.

Whatever the cause, after two or three days, it was reported that the prisoner had assumed her former attire and had thus relapsed, as the abjuration she had signed covered the revocation of all her errors, and wearing male attire was an important factor in the charges against her. When

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questioned as to her reasons, she gave confused, contradictory answers as was only natural under the threat of death before her, her highly nervous state, the ordeal she had gone through, the abuses she had suffered at the hands of her jailers, and her own exalted mental state. Finally, she declared she would rather die than endure the torture of imprisonment. This was enough. She admitted a relapse, and under the rules of the Inquisition there was nothing that could be done other than to deliver her to the secular arm for burning. All her former intrepid self-confidence, her courage and inspired faith broke down; her body and soul had endured more than they could bear, and she threw herself on the ground, shrieked with terror, begged for mercy and tore her hair, a pitiful, abused, betrayed and friendless woman. At last she calmed herself somewhat, confessed to the priest and asked for the sacrament. As this was never denied even to a relapsed heretic who asked for it at the eleventh hour, her request was granted. On the execution platform Nicholas Midi preached the sermon and read the sentence of relaxation by which Joan was delivered to the secular authorities. But Cauchon, le Maitre and others left the platform, heartily ashamed of themselves no doubt, as they deserved to be.

Upon her head was placed a paper crown bearing the words: "Heretic, Relapsed, Idolator, Apostate," and she was carried to the stake. Some accounts state that her shrieks and lamentations moved the

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crowd to pity; others that she endured her fate stoically and uttering prayers. Before her body had been more than scorched and blackened by the flames the faggots were raked aside so that all might be sure she really was a woman, after which the incineration was completed and Joan's ashes were thrown into the Seine.

Scarcely was the burning over when those responsible for her death hurried to justify themselves and to clear their skirts of responsibility for the outrage. The judges obtained royal letters shielding them from accountability for their acts, and letters in the name of Henry VI were sent to the various sovereigns and bishops of Europe explaining how Joan had used sorcery and witchcraft, how she had caused the death of thousands, had imposed cruelties on more thousands and had been the cause of such sufferings and troubles that the Divinity had taken pity on the people and had caused her capture. But all these excuses and explanations could not exonerate the English from having been at the bottom of the whole heinous affair, and no garbled tales of Joan's wickedness and witchcraft could hide the fact that the power of the Church and the machinery of the Holy Office had been used as a cat's-paw for purely political purposes by the English. Neither could the flames that had destroyed Joan's suffering body destroy the spirit she had incited in the people. Her death was a useless sacrifice, as the English soon found, and when, in

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1449, Charles VII once more occupied the throne of France he at once ordered a searching investigation into the circumstances of Joan's trial and execution. But it was not until seven years later, on July 7, 1456, that the whole process was officially declared null and void, that Joan's memory was declared freed of all infamy and the damnable twelve articles were denounced as fraudulent and made to deceive the University of Paris, and were ordered destroyed. But neither the King of England, Cauchon or le Maitre could be brought to justice and made to suffer in expiation of what they had done. The King was beyond the reach of the law, Cauchon had died, and le Maitre had been spirited away by his fellow Dominicans. The only reparation that could be made was to hold solemn processions to Rouen and to erect a cross upon the spot where she had suffered her martyrdom. In a restored form this cross still stands, a lasting memorial to the utility of the Inquisition as an instrument of politics.

CHAPTER X

THE BEGINNING OF THE END

THERE was one feature of the Inquisition which I have casually referred to, but which has been generally overlooked, and that was the right of appeal to the Pope when those accused felt they were not receiving fair treatment or that the sentences imposed upon them were too severe. To be sure, this right was more theoretical than real as it worked out, but that was due largely to the conditions and the times rather than to the inquisitorial process and laws. The Holy See was far away; to carry an appeal to the Pope and to receive his decision required a long time, and quite often a new pope would be in office when the appeal to his predecessor reached St. Peter's chair. Moreover, it was an expensive undertaking, and only the very wealthy or the very influential could hope to avail themselves of the right of appeal. Also, an appeal could be made only by a letter or *apostoli*, and this had to be passed upon by the inquisitors who could refuse to grant the appellant's petition. Finally, the appeal had to be made before sentence was passed if it was based on the grounds of injustice, the improper use of torture or other

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irregular proceedings, although even after condemnation and sentence had been passed the condemned heretic could and often did appeal to the Pope for commutation and—what is more remarkable—not infrequently with success. But it readily will be seen that, hedged about as it was by formalities, by niceties of ecclesiastical laws and rules, and being a most expensive and slow process at that, the right of appeal, although theoretically sound, was of practically no value to the thousands of poor people or to those in moderate circumstances and without influential friends. And these made up the bulk of those prosecuted by the Inquisition. There was still another feature of the case which militated against attempting an appeal. Under the ruling of the Inquisition, any one who hindered, delayed or impeded the process could be prosecuted as a fautor of heresy, and it was not difficult for any inquisitor to so interpret an appeal from his actions that it became an impediment or delayed the prosecution, thus rendering the accused liable to heavier penalties than before.

Still, the right of appeal was there, and aside from cases of trial for witchcraft, the Pope frequently granted such appeals. But there appears to have been a sort of understanding or unwritten law that no appeal from a trial or a sentence for witchcraft would be considered. I can find no record of such at any rate, but there are countless records of appeals from witchcraft trials or sentences to which

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no attention was given. Perhaps it was because witches were regarded as outside the pale of Church law and mercy, or again it may have been because witchcraft prosecutions were so multitudinous that the Pope feared that if he interfered in one he would be swamped with appeals. Whatever the reason, once a person was accused of witchcraft by the Inquisition it was a waste of time and money to attempt any appeal. Moreover, the only grounds on which an appeal from such a trial could be made was alleged improper use of torture, the refusal of counsel to the defendant, and the allegation of personal enmity on the part of the inquisitor. And any or all of these were readily overcome and evaded. An inquisitor could destroy the plea of enmity by appointing a deputy to take his place. The question as to whether torture was improper or not was most difficult to decide, for if it secured the desired results it was adjudged proper, and it seldom failed in that respect. And as far as the question of counsel went, the accused was little if any better off with counsel than without. No defendant was permitted to select his or her own counsel. The counsel appointed could not assume the defense of the accused if he did not wish to be prosecuted as a fautor of heresy himself. He was not allowed to know the names of accusers or witnesses, and his only duties were to advise the accused on points of procedure, to cross-examine witnesses and to bring up questions of procedure in the inquisitorial court. And

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he had, literally, to watch his step, for if he appeared to favor the accused unduly, or caused delays, or otherwise irritated the inquisitors, he was almost certain of being accused of heretical tendencies himself, and was thus in a worse fix than the person he was supposed to aid. Even in those rare cases where persons accused of witchcraft attempted to enter an appeal they were usually jailed for their temerity, and were often excommunicated as well, on the grounds that they were impeding the Inquisition and were casting a reflection on the sincerity and the infallibility of the Church.

In the case of prosecutions for ordinary heresy the accused had far better chances. To be sure, the poor and lowly could not dream of trying to finance an appeal to the Pope. But that was the fault of their unfortunate social status, not of the Church. The Church did not hold itself responsible for a man's poverty or wealth, and hence could not mitigate conditions which God had seen fit to impose. The same holds true to-day, and the poor man is as much at a disadvantage when it comes to appealing from a court decision at the present time as in the days of the Inquisition. And it must be admitted that, judging from the records, appeals that actually reached the Holy See were, as a general rule, fairly and justly considered. That many were refused goes without saying. Whether or not there were any real grounds for these appeals we cannot say, but the fact that in many instances the Pope

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not only upheld the appellants, but often granted them even greater relief than they sought, tends to prove that they were given every consideration and were thoroughly investigated. Thus, in 1323, when the Sire de Partenay, a powerful noble of Poitou, who had been cited by Friar Maurice of Paris, appealed on the ground that the judge was prejudiced by personal enmity, Pope John XXII at first denied the appeal, but later referred the case to a committee of bishops who released the Sire.

Again, in 1255, Alexander IV absolved Aimeric de Bressols from all further penances because he was old and poor; and in 1371, Gregory XI released Bidon de Puy Guillem, who had been condemned to perpetual imprisonment, on the ground that the penalty was excessive.

Naturally, such actions on the part of the popes did not at all please the inquisitors who saw, in such merciful interferences, a reflection on their own alleged justice and impersonal devotion to the cause of the Faith. And on at least one occasion—and probably on others of which we have no records—they expressed their feelings on the matter in a remarkable and amusing manner.

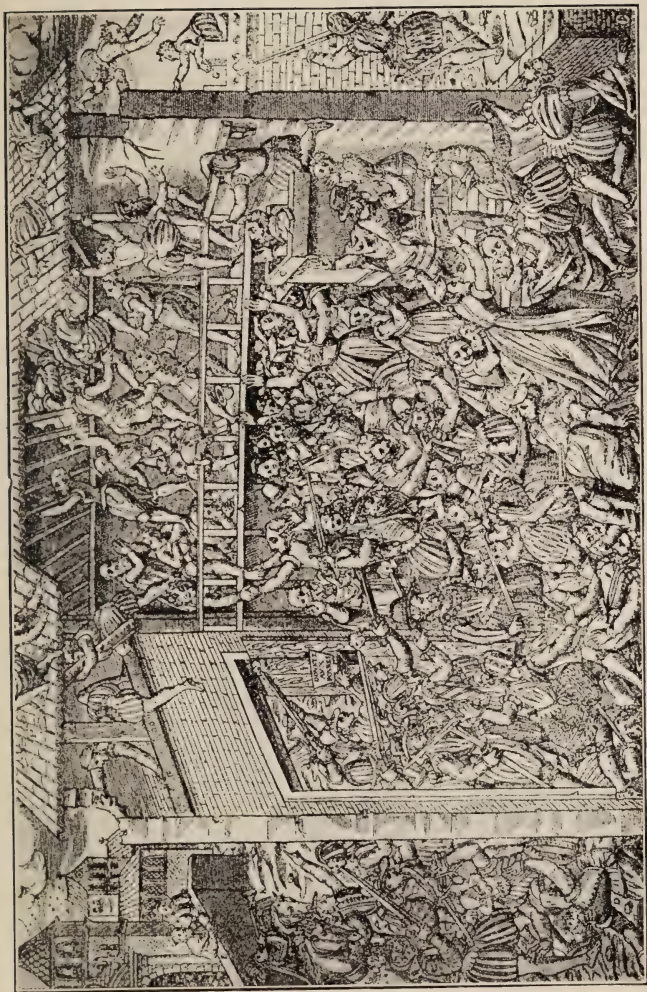
This was in 1249, when a number of citizens of Limoux, who had been sentenced to wear crosses and to perform other penances, appealed to Innocent IV. Before action could be taken by the Pope the peeved inquisitor promptly absolved the penitents without reserve. But the action did not mitigate the

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lot of those affected. The Pope, hearing of the matter and taking the hint intended, not only refused the petition for clemency but imposed even heavier penances than before.

Naturally, too, the power of money played as important a part in the process of the Inquisition as it does in processes of law to-day. Gold could grease the wheels of justice—or injustice—in the days of the Inquisition as well as at the present time. Outside of Italy the secular officials and priests did not share in the confiscations of property of condemned heretics, and naturally they felt they were being cheated of rich pickings which reverted to the Church through their individual efforts. This of course paved the way for bribery, for donning cassocks and taking orders did not alter their natures as men.

That many an appeal was put through and many a penance commuted by the liberal distribution of gold where it would do the most good, is amply proved by documents and records. Thus, in 1245, the worthy Bishop of Languedoc complained most bitterly to Pope Innocent IV that the Inquisition was being impeded, that known heretics were immune from prosecution, and that others secured mitigation or even exemption from penalties by the liberal use of money. And on December 28, 1248, six persons, who had been brought to trial and had freely confessed to charges of heresy, were liberated without penances because, as the record states, of



THE MASSACRE OF SAINT BARTHOLOMEW

From an old print

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their "liberal contributions to the cause of the Church in the Holy Land."

Probably no other one factor had a more important influence on the decadence and downfall of the Inquisition than the practice of purchasing immunity from prosecution and penances. The very abuses and scandals in the Church which had led to the establishment of the Inquisition became the cause of its downfall. The power—almost supreme in its scope—over life, liberty and conscience that had been conferred upon the members of the Inquisition for the purification of the Church and the protection of the Christian faith, offered too great a temptation for human nature to resist. Of course, there were many men who, to the very end, were unselfishly devoted to the cause, who—whatever their fanatical and merciless faults may have been—were honest, above bribery and corruption, and who loudly decried the conditions with which they were becoming more and more surrounded and overwhelmed. But there were many more who, having entered the priesthood for ulterior reasons, were utterly unprincipled when it came to furthering their personal desires and ends. There was no easier means of acquiring wealth and property than by bringing a charge of heresy against some rich noble and receiving a "contribution," in view of which the alleged heresy was wiped out and absolution given.

And it was but a step from selling clearances of heretical accusations to peddling indulgences. For

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centuries before the establishment of the Inquisition, the itinerant sellers of alleged holy relics, of indulgences, of ecclesiastical commissions and even of falsified sacraments had been one of the worst curses of Europe. They were pests, vermin; but like vermin were almost impossible to exterminate, for as soon as suppressed in one spot they would appear in another. All well-meaning priests, even the popes, decried them, raved at them, but without avail. Theirs was a lucrative trade and most difficult to prove. In 1274, Umberto de Romani, the ex-generalate of the Dominican Order, declared that such sales exposed the Church to derision and created heretics. Another Dominican, Thomas de Contimpre, bitterly compared the sales of salvation for trifling sums with the endless labors and austerities of himself and his fellows, as well as of the Franciscans, who even then were not sure of pardon for their sins. It was one of the first duties of the Inquisition, as stated by Pope Alexander IV, to put an end to such scandalous traffic, and this stand was embodied in canon law. Yet, as far as known, only one actual prosecution was carried through. This was in 1289, when a clerk, Berenger Pomilli, was brought before the inquisitor, Guillaume de Saint-Seine. The accused admitted having carried on his trade for thirty years, but he claimed—whether truthfully or not we cannot say—that all the receipts from his sales had been devoted to charity, to the erection and use of churches and for other

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religious and worthy purposes, and hence he was absolved.

To the majority of the priests and to the public, it was difficult to see any real difference between disposing of a plenary indulgence for money and offering it as reward for acts or deeds. And it was a well recognized and established, as well as a perfectly legitimate, act to do that. Indulgences were given by the Pope to crusaders. Pope John XXII had offered an indulgence to all who read his poetical *Passion of Christ*. Even Savonarola had been given a plenary indulgence when about to be put to death on the scaffold, and, during the prosecutions of the Templars in England, an indulgence was offered to King Edward if he would permit the Inquisition to use tortures in its proceedings.

And the Inquisition, established partly to suppress and as far as possible to stamp out the nefarious practice of selling indulgences and even sacraments and sacred relics, defeated its own ends by becoming a party to it. In a letter written by Benedict XII to the Archbishop of Narbonne, the Pope complains in no measured terms of the demoralization of the clergy in the Archbishop's district that so recently had been purified by the tireless labors of the Inquisition.

Indeed, it was largely a question of selling indulgences that caused such intense jealousies and such bitter hatred between the Dominicans and the Franciscans. Each order accused the members of

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the other of selling promises of eternal salvation, freedom from purgatory and remission of sins. Each condemned the other for daring to carry on such a nefarious and sinful traffic, and invariably the Dominican inquisitors persecuted as well as prosecuted every Franciscan they could lay by the heels, and every Franciscan retaliated in kind. Naturally, with the Inquisition thus divided within itself, with scandalous accusations being made by one priest against another, with entire orders being declared heretical, and with men who themselves had served as inquisitors being brought to trial as heretics, the public could not be expected to look with any great degree of respect upon the representatives of the Church or the Inquisition as they saw them. Also, quite naturally, the quarrels among the members of the priesthood, the bitter antagonism of the two most powerful orders, the relentless persecution of priests by priests, and the fact that many of the inquisitors were not above salving their consciences for gold, resulted not only in the demoralization of the clergy so bitterly regretted by Pope Benedict XII, but brought political intrigues and interests into the picture once more.

Nobles and men of influence became practically immune from inquisitorial processes and prosecutions, and instead of suppressing heresy and protecting the Christian faith, the Inquisition became largely devoted to witch-hunting.

With the representatives of the Church thus de-

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moralized it followed as a matter of course that the laity should become utterly depraved. Uniformity of faith had been for long rigorously enforced by the Inquisition, and just so long as faith had been preserved, crimes and sins had become rarer and rarer. But once the public discovered—by the example of the well-to-do—that money would serve as well as penances to secure absolution, there was practically no check on wrongdoing, either from a secular or an ecclesiastical standpoint. Moreover, for centuries the people had been witnesses of the fact that mere virtue and righteousness held no rewards. From the very beginning, the Inquisition had prosecuted and ruthlessly exterminated men and women who admittedly were paragons of virtue because they had not accepted the orthodox faith, whereas others, as disreputable and sinful as the heretics had been virtuous, had been left unmolested merely because they had been strict believers in the tenets of the Church. Even the Pope was constrained to call attention to this, and Pius II declared that while the friars were excellent theologians they cared nothing for virtue.

The result of all this was that vice, degradation, debauchery and immorality of all kinds flourished openly. Never in the history of the world has there been a society more vile and defamed than that of Europe during the fourteenth and fifteenth centuries when, despite the outward manifestations of piety and elaborate formalities rigorously practiced,

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THE ROUND TABLE OF VICES

A German engraving of 1546 representing the dissolute social conditions existing at the time. The king, princes, and clergy are shown gambling, drinking, and carousing while industries are neglected and the people suffer.

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the bulk of the population was immersed in the depths of sensuality and brutality. As, according to both canon and civil law, members of the priesthood were held exempt from the penalties of the laws to which laymen were subject, there was absolutely no check upon such members of the clergy as naturally were given to the vices and lusts of the flesh.

Some idea of the extent to which crime flourished at that time may be gained by the works of Meyer who, writing of conditions in Ghent in 1379, stated that within ten months fourteen hundred murders were committed in the one town. As long as society was orthodox and docile it was allowed full rein to wallow in its depravity and wickedness. The Inquisition had so long usurped the law that the civil authorities took no heed of what went on, while the Church considered all carnal sins as beyond its scope and jurisdiction. The Inquisition had attained—or had almost attained—its purpose. It had established and enforced a uniformity of belief, and the moral conditions were of little importance. In fact, the Inquisition had been too successful. So complete had been its triumph over heretics that the old machinery was allowed to rust, to corrode and to get out of gear for want of use. Most of all, the Inquisition—like everything else—had lost its terror through familiarity.

Also, there had been violent schisms in the Church. Franciscans and Dominicans had been too busy prosecuting and burning one another over the petty

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question as to whether Christ shed real blood during His Passion and whether or not it remained on earth, to bother about far more important matters. And the people, finding that even the Church could not agree on what was and what was not orthodox Catholicism, decided the easiest and safest way was blindly to believe or profess to believe whatever the priests required of them. Moreover, beliefs, practices and utterances that a few years earlier would have resulted in death at the stake, no longer brought trial and penances.

The Church had begun to acquire intelligence and broad-mindedness. There was, the more intellectual and advanced clerics maintained, a vast difference between intellect and faith. Free thought might not be heretical even when the actions resulting from free thought might be. Slowly but with irresistible force the desire for knowledge, for truth, for something more than blind acceptance of alleged facts, had been growing and spreading over Europe. The Church might be infallible as far as the nice points of the interpretation of the New Testament were concerned, but matters *ex-cathedra* were worthy of investigation and study. And even the New Testament, it had been discovered, was not beyond question in the form in which it was then known. In short, doubts, questions, disbeliefs filled the questing minds of the people—and even of the clergy; philosophy and science were rapidly being developed, and in southern Europe especially letters had begun to

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get the better of faith. Especially was this true of Italy, the very seat of the Church, and the infection of culture, of philosophy, of art and of advanced thought pervaded all the more elevated ranks of society and even the papal court. A succession of highly intelligent and cultured popes, who were temporal princes as much as vicars of Christ, and who prided themselves upon their association with and patronage of scholars, had done perhaps more than all else to lead Europe from the darkness of the Middle Ages into the dawning light of the intellectual future. They were men who could put aside the affairs of Church and State, the prosecution of alleged heretics and the burning of witches, long enough to fraternize with the intellectuals and the philosophers who adorned their courts. They might not always agree with the theories and arguments of these deep-thinking seekers after the truth, but they felt that such errors were errors of thought rather than of spirit, and they were intelligent and broad-minded enough to realize that no man can be entirely free from mistakes. They felt that if Rome were to be the ruler of the world under the new order of things she must advance with the world and not strive to impede it and hold it back. She had tried this too often, and these advanced intelligent occupants of the throne of St. Peter's knew, from the past experiences of their predecessors, how futile was any attempt to coerce and intimidate the entire world. In fact, the battle had been fought

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and won by the opposition when Lorenzo de Valla wrote his criticism of the Donation of Constantine in 1440. Despite the fact that with his daring pen he had swept away the very foundations of the temporal power of the papacy, yet he remained unmolested. It was not until he assailed the propositions regarding the authenticity of the Symbol of the Apostles and the communication between Christ and King Abgar of Edessa, that the Inquisition interposed. But even then Valla merely was forced to declare that he believed as Holy Mother Church believed, and when questioned on a point of faith he defended himself successfully by declaring: "In this, too, I believe as Mother Church believes though Mother Church knows nothing about it."

And later on, this man, who a few years earlier would have been burned at the stake instant for his heresies, was given a high position as a papal secretary and was rewarded with five hundred ducats for his translation of Thucydides. He even won the right to correct the New Testament, and his version was accepted and published in 1505. After such an example, scholars, however heretical in their utterances, had little to fear in Italy and in Spain. Indeed, the broader-minded popes who had succeeded the former types made no bones of interfering with the Inquisition and of handling matters to suit their own ideas. They even caused the bodies of alleged heretics that had been buried in unconsecrated ground to be reinterred in cathe-

drals and churches, and on one occasion a case of avowed heresy was punished by the mild penance of fasting on bread and water on Fridays!

Even hot discussions on religious matters were conducted openly in the presence of the popes and were the favorite means of passing time at the court of Leo X, for it was an accepted rule that if both sides of the question were discussed and arguments in support of each were presented, no fault could be found. In such an atmosphere it was impossible that even the most fanatical and narrow-minded of clerics should escape the contagion. The more thoughtful and sincere they were the more they realized the shortcomings of the blind faith they had so long supported, and the more they realized that education, intelligence and learning helped rather than hindered the spread of the true Gospel. Though helpless to change conditions, yet they could study what others thought, could look upon life and religion with more open minds and with the light of knowledge, and could struggle to attain something better than that to which they had been so long accustomed. And this without altering or injuring the basic tenets of Christianity and without indulging in heresies. They studied, they read all that they could lay their hands on, and when, as often happened, some overzealous Dominican inquisitor would seize books or pamphlets and have them burned, the authors would find sponsors and protectors high in the Church.

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In fact, it would scarcely be going too far to state that books were the real cause of the end of the Inquisition. The inquisitors might condemn and destroy whatever alleged heretical writings they could find. But books were insensate things; they could not be made either to suffer, to abjure their sins or to do penance. And as fast as one book was destroyed another, or rather a dozen more, would appear. Then Guttenberg invented printing, books could be turned out by hundreds instead of laboriously one at a time. Countless thousands of people could benefit by reading where a scant score had read before, and the Inquisition, betrayed by itself, robbed of nearly all of its powers by the lettered, broad-minded popes, no longer dreaded by the people, and powerless to wage war upon books, threw up its hands and surrendered. The printing press had triumphed over the rack.

CHAPTER XI

THE SPANISH INQUISITION

I THINK it would be quite safe to assert that ninety per cent of the public think of the Inquisition as preëminently a Spanish institution designed for the persecution of Protestants who were hounded, tortured and put to death by a veritable monster in human form called Torquemada. In fact, the term, "Spanish Inquisition," has become almost a household word, a synonym for everything cruel, fiendish and fanatical, and a weapon that has been wielded unsparingly on every occasion by anti-Catholics.*

* The atrocities and cruelties resulting from the persecutions of the Inquisition in the Netherlands were, if anything, worse than in Spain, although rarely mentioned. The "Reign of Terror" of the Inquisition in Holland was beyond words to describe. King Philip himself boasted that the Inquisition in the Netherlands was "much more pitiless than in Spain." Tens of thousands of persons were burned or tortured in the first two years of Philip's reign. Yet it was not until the Duke of Alva arrived in 1567, that atrocities really began. In less than three months he had put eighteen hundred people to death. On one occasion five hundred were burned *en masse*. On February 16, 1568, the Holy Office issued a decree condemning every inhabitant of the Netherlands to death as heretical. Ten days later, Philip ordered this wholesale sentence executed. Literally this meant the massacre of three million people—too large an order for even the bloodthirsty Duke of Alva. But he did his best and wrote to Philip informing him that at the "close of Holy Week eight hundred persons are to be executed." To prevent these wretches from talking while being led to execution each had his or

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As a matter of historical fact, the medieval Inquisition, that had held Europe in its reign of terror, tortures and executions for centuries, was practically unknown in the greater portion of Spain. In the Kingdom of Aragon, to be sure, it had held a certain footing and power, but in the great Kingdom of Castile and Leon, which was more independent of Rome than any other monarchy of the times, the Inquisition had no status, and such a thing as prosecutions for heresies was unknown. In 1316, when

her tongue forced through an iron ring, after which the tip of the tongue was sliced off and seared with a hot iron, the swelling and inflammation preventing the ring from slipping off. Soon the captives increased too rapidly to bother burning them, so they were tied two or three together and cast into the rivers or had their backs broken by a blow and were left to die where they fell. In Antwerp eight thousand were murdered at one time. On his departure from the Netherlands, the Duke of Alva—probably the most bloody and inhuman man in the history of Europe—boasted that during his régime he had ordered eighteen thousand, six hundred executions for heresy, and he failed to mention how many tens of thousands he had massacred for other reasons or for no reasons at all.

Under the rule of Charles V, more than ten thousand innocent people were put to death for heresy in the Netherlands. At Brussels, in 1533, an imperial edict was issued condemning all heretics to be put to death, repentant males to be executed with the sword, repentant females to be buried alive; the obstinate of both sexes to be burned alive. Under this edict fully fifty thousand persons were tortured and killed.

At the sack of St. Quentin (1557), the women were slashed in the faces with knives, their arms were wantonly cut off and the maimed wretches, stripped naked, were driven from the city, Philip "the good" having ordered that every woman in the city should be driven from it.

Torturing and executing prisoners was not an expensive process among the thrifty Dutch. Among the official records of municipal expenses at Tournay, is the following: "To Jacques Barra, executioner, for having twice tortured Jean de Lannoy, ten sous." "To the same for having executed by fire said Lannoy, sixty sous." "For having thrown his cinders in the river, eight sous."

certain heretics fled from France to Spain to escape the persecution of the inquisitor, Bernard Gui, he sent word to all prelates of Spain describing the fugitives and urging their arrest. Finally he received a reply from Archbishop Rodrigo announcing that five persons answering the descriptions had been apprehended in Compostella where they were being held for further instructions. The worthy Spanish prelate then requested that he might be given information as to the method of trying the heretics and how to punish them in case they were found guilty, naïvely adding: "All this is heretofore unaccustomed in our parts."

Yet heretics were common enough in Compostella, for it was one of the favorite shrines to which penitent heretics were forced to make pilgrimages as penances by the Inquisition. Again, in 1401, Pope Boniface IX appointed the provincial, Vicente de Lisboa "Inquisitor over all Spain." But the only heresy alluded to in the bull appointing the inquisitor is the idolatrous worship of plants, trees, stones and altars. And even the practitioners of these pagan rites could not be prosecuted by Fray Vicente for the very excellent reason that he was already dead and buried when the bull was issued by the Pope! Discovering this oversight, Pope Boniface, on February 1, 1402, issued a bull forever after empowering the Dominican provincial of Spain to appoint and remove inquisitors or to act as such himself. But this was merely an honorary

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appointment, and throughout Castile and Leon one might have sought in vain for any trace of an inquisition or an inquisitor. Even in 1460, Alonso de Espina wrote sorrowfully of the fact that there was no prosecution for heresy. He declared: "No one investigates the errors of heretics," and he described the Spanish Church as, "distracted with heretics, Saracens and Jews."

Even in Aragon, where the Inquisition had been long established, there was a remarkable lack of respect for it. In several instances heretics found guilty by the inquisitors were set free by the secular authorities. And on one occasion, when the Bishop of Elne prosecuted certain converted Jews as relapsed heretics, they turned the tables, instituted a libel suit against the inquisitor and forced the poor, well-meaning Bishop to pay damages!

// This attitude of the Spaniards towards the Inquisition was due partly to their naturally proud and independent spirit; partly it was due to their more liberal-minded point of view, and very possibly it was the result of long association with the Jews and Moors. Through many years of dealing with infidels, the Spaniards had learned by experience that a man's religion does not necessarily affect his personality, his character nor his virtues. At all events, whatever the reason, the fact remains that the Inquisition was practically nonexistent in Spain prior to the end of the fifteenth century, and in the few localities where it had been established in that

country it was more limited in its powers than in any other land except Great Britain. Tortures were officially frowned upon and forbidden, burnings were not at all popular, and during the prosecutions of the Templars, the Inquisition accomplished very little in Spain.

Even when the inquisitors turned their attentions and their talents to the persecution of sorcerers and witches, the Spanish took little interest in the proceedings. In fact, men famed as sorcerers were appointed to exalted positions both in Church and State. The Spaniards had been long accustomed to association with the Moors, who were noted as necromancers and soothsayers, while their own inheritance of Wisigothic superstitions and beliefs in magic, witchcraft and sorcery prevented them from believing that such things were essentially heretical.

Considering this, it would appear rather remarkable that, as the old Inquisition died out in the rest of Europe, it should have been given a new lease of life in Spain. And it is even more remarkable that this renaissance of a medieval institution, that had been in force for centuries, should have been the source of practically all the misinformation, the exaggerated reports, the fiction and the anti-Catholic propaganda that have been built up about the Inquisition. Just as poor old Captain Kidd, who was never a pirate, and his treasure, which never existed, because the traditional epitome of pirates and pirates' hidden loot, so Spain—that for cen-

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turies was the most religiously tolerant country of Europe—and the Spanish Inquisition—which was at best a rather mild affair and very largely political and commercial—have become synonymous with everything cruel, bigoted, fanatical, despotic and intolerant.*

Although the old Inquisition had become practically moribund by the latter half of the fifteenth century, yet it never officially had been annulled—nor has it yet—and technically speaking it is still in force at the present time.

So, when, in 1480, the Spanish monarchs—Ferdinand and Isabella—decided to inflict their hitherto tolerant country with an Inquisition, they merely rejuvenated the old discarded machine, transferred its headquarters to Spain, installed Torquemada as Inquisitor-General, and the so-called Spanish Inquisition appeared fully fledged and ready for business.

It is, however, rather unfair to lay the blame entirely at the door of Ferdinand and Isabella, for Torquemada, the fanatical, misguided but unquestionably well-meaning Dominican friar, was the one who suggested the revival of the Inquisition in

* Although so much has been said and written of the Catholic bigotry and intolerance and the activities of the Inquisition, the Protestants have exhibited equal if not greater intolerance towards other sects and, in many instances at least, have far exceeded the Inquisition in fiendish tortures and inhumanities. The Lutherans were as bitter and as cruel in their campaigns against the Anabaptists and others as the inquisitors had been in their war upon Protestantism. Wherever captured, these dissenters from Lutheranism were put to death with fiendish tortures.

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Spain. No country in Europe was faced with the same racial, religious and economic problems as Spain at that time. For centuries the land had been largely in possession of the Moors, the crescent was as much in evidence as the cross, and the country fairly teemed with Jews. Christians were in the minority, despite the fact that Spain was avowedly a Christian country, and as neither Jews nor Mohammedans were amenable to inquisitorial prosecutions they had not been molested. And being more commercially inclined than the native Spaniards they had gradually usurped nearly all the business, the commerce and—as a direct result—most of the wealth of the land.

With the union of Ferdinand the Catholic with Isabella of Castile and the consequent consolidation of Aragon, Castile and Leon in 1479, a great change came over Spain. Both monarchs were ardent, devout Catholics and the royal pair found that while the Moorish power had been broken and the Moors vanquished, their Christian subjects mingled and dealt freely with the infidels and Jews, and that differences of religion did not in the least interfere with business, commerce nor even social intercourse. In other words, religion was of secondary importance in easy-going, tolerant Spain where the old Inquisition had never made itself greatly felt. It was at this psychological moment, when the devout monarchs were perplexed with the sociological, the religious and the commercial problems that faced

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them, that the Friar, Tomas Torquemada, appeared on the scene. He had been thinking deeply on the matter, and being naturally fanatical, intolerant and bigoted he had come to the conclusion that the whole trouble with Spain was—tolerance. That the Church, the very foundations of the country, were in jeopardy through the friendly intermingling of Christians, Jews and Moslems, and that, in a short time, the country would become completely Islamized or Judaized.

To be sure, even the Church had always recognized the rights of the Jews and Moors to adhere to and to practice their own faiths, and Alphonso VI of Castile had borne the title: "*Imperador de los Dos Cultos*" ("Emperor of the Two Faiths") but fanatical Torquemada saw in the ardent Catholicism of the new monarchs a means of transforming Spain into a purely and wholly Christian country. When he represented and argued that the entire future and safety of the Crown depended upon suppressing the Jews and Moslems, and suggested that the best and only means of doing so was to revive the Inquisition in Spain, the King and Queen at once fell in with his plans.

Moreover, they had the support of the nobility and the wealthy class of pure-blooded Christian Spaniards—the "*Limpiezas*"—who had become very jealous of the Jews and Moors whose keen business acumen had led them to usurp not only

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most of the wealth and business but many of the important and lucrative offices of Spain.

But the New Inquisition, as planned by Torquemada and Ferdinand and Isabella, was quite a different institution from that of the Middle Ages. The latter had been—nominally at least—under the popes, and had been directly responsible to Rome. But the Spanish King had a mania for centralization, and flushed with his power and his triumphs, he was not one to acknowledge himself amenable to any man. He wanted a national Inquisition, a purely Spanish institution designed for the one special purpose of eliminating Jews, Mussulmans and—incidentally—any other heretics from Spain, and he insisted that his Inquisition must be practically independent of Rome. In vain Pope Sixtus IV protested. The King of Spain was obdurate; there would either be an Inquisition directly and entirely under royal control or no Inquisition at all, and at last the Pope, realizing that the Inquisition, regardless of details, would doubtless aid in maintaining orthodoxy and would bring many converts to Christianity, capitulated. As a result, the Spanish Inquisition was practically autonomous. It refused to recognize papal bulls, dispensations or indulgences unless approved and countersigned by the Holy Office of Madrid; decisions of the Roman Congregation of the Index were only valid in Spain after approval by the Inquisitor-General, and the time-

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honored—though often useless—right of appeal to Rome was done away with and appeals could be made only to the Inquisitor-General. As a result, the Church of Spain soon became the most independent as well as the most fanatically orthodox in Europe, and on more than one occasion it did not hesitate to carry on bitter quarrels with Rome, especially on financial affairs, such as the division of the spoils of confiscations, in which the Church almost invariably came off the victor, although on one such occasion it was the other way about. The King of Spain had foreseen, in the confiscation of properties of heretics and in fines, a means to bolster up his depleted treasury, and when he found that Torquemada was calmly taking possession of all in the name of the Church, the King protested. The Inquisitor-General was obdurate, a bitter controversy arose, and finally the matter was referred to Rome and the Inquisitor-General was forced to disgorge and divide with the Crown.

But on the whole, so closely allied were Church and State in Spain and so thoroughly a royal institution was the Inquisition, that the Crown and the Inquisitor-General worked in harmony and neither could afford to antagonize the other.

As organized, the Inquisition had its Supreme Council at Madrid with tribunals everywhere. The Grand Inquisitor or Inquisitor-General was *ex officio* president for life of the Royal Council of the Inquisition, and while modeled somewhat on the pattern of

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the medieval institution there were many minor differences. As I have said, it was independent of Rome, and while the processes, the forms of prosecutions, the rules governing accusations and trials were similar to and often identical with those of the original tribunals, changes were made to suit conditions. The original Inquisition was designed to suppress



THE INQUISITION BUILDING AT SEVILLE

heresy of every kind everywhere, but the Spanish Inquisition was a purely local or better national affair for the suppression of certain definite forms of heresy, almost entirely the cases of relapsed converts to Judaism and Islamism and those practicing secret rites of these faiths.

It has often been claimed that the Spanish Inquisition was instituted for the persecution and suppression of Protestantism, and this false allegation has

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been fostered and encouraged by lurid tales of the tortures, the deaths and the nameless cruelties practiced upon Protestants by the Spaniards. But as the Reformation did not take place until 1517—thirty-seven years after the Spanish Inquisition was established—it is obvious that it was not aimed at the Protestants as so many anti-Catholics would have us believe. In fact even when the Lutherans swept Europe with their new creed and shook the Catholic Church to its foundations, the Spanish Inquisition had very little to do with attempts to suppress them. In the first place, Spain was about the last spot on earth where Protestantism would have found a foothold, and in the second place the inquisitors had their hands full attending to other matters of far more vital importance to Spain. The discoveries in America had opened up an entirely new vista for the Church and had provided opportunities for every available priest to engage in Spain's colossal attempt to Christianize the New World. To be sure, Fernando de Valdes, Archbishop of Seville, *did* ask permission of the Pope to burn all Lutherans, but as far as known only three were ever burned in Spain or in Spanish colonies on that charge. This was in 1560, when two Englishmen and a Frenchman were put to death, and as this was in defiance of international law that guaranteed immunity from religious persecution to all travelers and visitors who were legally in another country, the incident resulted in the very devil of a diplo-

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matic row, and Spain was forced to pay heavy indemnities.

No doubt, among the other grist that came to the inquisitorial mill of Spain, there were now and then Protestants, occasional native sons and daughters and now and then refugees from other lands who—to escape the gallows, the stake or other just punishments for their crimes—had left their countries for their countries' good. Such, being present illegally and without passports, were amenable to the laws of the land and to the Inquisition, as were pirates, freebooters and other thieves, malefactors and scoundrels. But as the Spanish Inquisition prosecuted for bigotry, usury, blasphemy, sodomy, theft, murder and practically every other crime that violated the precepts of the Bible, such foreign scalawags as it picked up would have come to the same fitting ends regardless of their religious convictions. Moreover, they were far better off when they fell into the clutches of the Spanish Inquisition than when they came into the hands of the secular authorities. Compared to the Spanish civil authorities the Spanish inquisitors were gentle and mild.

But on the whole, as I have said, the Spanish Inquisition—especially in its early years—was designed for the specific purpose of suppressing Islamism and Judaism in converts to Christianity. Although the Moors and Jews were given the option of leaving the country or of being baptized as Chris-

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tians, and despite the fact that more than 80,000 Jews were exiled, still the great majority of the Moors and Jews preferred Christianity to leaving the land of their birth. They were native-born Spaniards, they had no interests nor connections in other lands, but they had homes, families, friends and vast business interests in Spain, and they rushed to take advantage of the lesser of the two evils offered them. Doubtless many were sincere in their conversions, but equally beyond doubt, many received baptism merely to enable them to remain in Spain and to continue in business and, regarding their conversion as compulsory, they had no intentions of following the Christian religion, but remained at heart and in secret as sincerely Jews and Mohammedans as ever. In addition, there were hundreds of thousands of the so-called *Conversos* and *Marranos* (Converted Moors and Jews) already in the land, but whose sincerity was open to doubt and suspicion. While these controlled the business of Spain they were not allowed to hold public offices, these being restricted to the "*Limpiezas*" or men of old, pure-blooded, Christian families. Such were practically above suspicion, while any *Converso* or *Marrano* was liable to accusation, trial and—all too frequently, condemnation—for the most trivial and ridiculous reasons. Ablutions during the daytime, refraining from eating pork or drinking wine, the use of henna, singing foreign songs, possessing Hebraic or Arabic books or manuscripts, were any

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or all enough to bring on inquisitorial prosecution, and condemnation to the galleys, to prison or to the stake. Of course many of the extremely wealthy managed to secure practical immunity through bribery and by supplying the Inquisition with spies and information against their fellow converts. But it must be admitted that—at least in the heyday of the Spanish Inquisition—the inquisitors were in the main sincere and immune to bribery and corruption regardless of how misguided they may have been. No one was exempt from prosecution if he was suspected of heretical practices or ideas, and as the Spanish Inquisition ignored Rome and was a law unto itself, it took its own stand in regard to such matters as books, mysticism and everything else. Books, approved in Rome were forbidden in Spain and *vice-versa*, and mysticism, which was favored in Rome, and philosophy which was being encouraged by the popes, were deemed most heretical in Spain. Pedro de Lerma who, after fifty years in Paris as dean of the theological faculty there, returned to Spain as Abbot of Compluto, was prosecuted and forced to flee to France to save his life. Fray Alonso de Verines, Chaplain to Charles V, was accused and imprisoned and was saved with difficulty by the intercessions of the King and the Pope. Even mathematicians were under the ban, and as late as 1797 the mathematician, Benito Bails, was prosecuted by the Inquisition of Spain. Rank, wealth, station, made no difference, and dignitaries

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of the Church were not immune. Pedro Aranda, Bishop of Calahorra, was prosecuted by Torquemada in 1498, and Ferdinand de Talavera, Archbishop of Grenada, was prosecuted by the Inquisitor-General, Lucero.

The entire Jesuit Order was placed under authority of the Inquisition in 1660, and even saints were imprisoned. Santa Teresa herself was accused, denounced and only saved from the stake by the personal intervention of Philip II, and St. Ignatius Loyola was twice imprisoned.

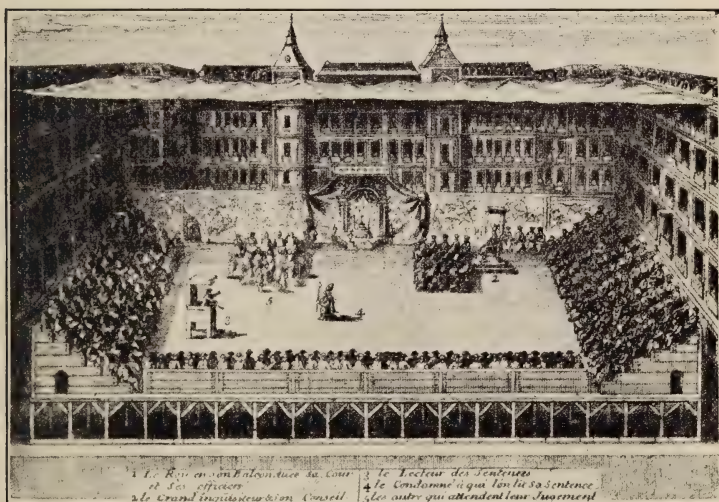
Considering such proofs we cannot therefore accuse the Inquisition of being corrupt nor of partiality, even if, here and there, there were corrupt individuals in its ranks.

But despite every effort, even when directed by the Crown and when administered by such a fanatical and relentless man as Torquemada, the Inquisition as revived in Spain could not and never did regain its former terrors, its former powers and its former severities. The world was becoming enlightened and was, moreover, spreading. Though the Spanish Inquisition forbade the sale, the reading or the possession of any books or writings not censored by itself, and ordered the death penalty for any one possessing forbidden or unapproved books—a law that was still in force until 1812—and though it waged a bitter war on all sciences and scientists, on poets and artists, on musicians and on every form of free thought, of mysticism, of ad-



RIOTING BETWEEN JEWS AND CHRISTIANS

From an old print



AN AUTO-DA-FÉ IN SPAIN

From an old print

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vanced theories and ideas, still books that attacked ancient, time-worn dogmas and beliefs were published and circulated, and even members of the Catholic clergy waged a constant warfare over the literal interpretation of passages in the Bible. And despite the fact that the Spanish Inquisition had greater powers in many ways than ever were vested in that of the Middle Ages, although its members had the right to bear arms and to prosecute all opponents, although it paid no taxes and rendered no subservience to pope or potentate, still it did not practice the tortures, the horrors, the severities of its predecessor.*

* Under Diedrich Sonoy, governor of a portion of Holland, and a staunch Lutheran, Catholics and other dissenters were tortured and massacred in a manner only equaled by the Duke of Alva. One example of this Protestant Dutchman's methods will suffice. Nan-ning Koppezoön, after being subjected to a series of fearful tortures, was singed from head to foot with burning torches, his feet flayed, and was then thrown into a dungeon where he was left for six weeks. He was then brought back to the torture room and racked. He was then placed under a huge earthenware vessel, a number of rats were introduced under the inverted pot and hot coals were heaped upon the vessel until the rats gnawed their way into the bowels of the tortured man in order to escape from the heat. The holes made by the rodents were then filled with hot coals, after which he was subjected to tortures impossible to describe in print. One would suppose that he would have died long before this and that, not having succumbed, he would have welcomed death in almost any form. Yet under promise of being spared he confessed to many things of which he had no knowledge. Notwithstanding this the governor ordered him executed, the sentence providing that: "His heart shall be torn from his living bosom and thrown in his face, after which his head is to be taken off and exposed on the church steeple of his native village. His body to be cut into four pieces and a quarter fastened upon different towers of the City of Alkamaar." The governor himself supplied the rats for the torture, and in a letter written to him by his commissioners thanking him for the gift

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Tortures when used were limited to those employed at the same time by the Royal civil courts, and in case of burnings the condemned were first mercifully put to death by strangling. And bad as Torquemada may have been, his ideas, from a humanitarian viewpoint, were far in advance of the secular authorities.

He insisted that the cells wherein his victims were confined must be large, airy, with ample windows and abundant sunshine. The use of chains on his prisoners was strictly prohibited, and despite the fact that his name is synonymous with cruelty, despotism and intolerance, that his life was so often threatened, that he never went abroad without a guard of two hundred foot and forty horsemen, and despite the fact that in eighteen years he burned over 2,000 men and women and sentenced thousands of others to prison and to the galleys, yet beside such men as Bernard Gui and the other inquisitors of the Middle Ages he was a benign, kindly, merciful and broad-minded monk.

Even when the question of the Immaculate Conception arose between the Dominicans and Franciscans the Spanish Inquisition took no drastic action. When, in 1481, the Franciscan, Fray Bernardino Feltre, upheld the dogma in his sermons

of the creatures, and describing the delectable enjoyment they had in watching the tortures, they conclude by saying: "Noble, wise, virtuous and very discreet sir, we have wished to apprise you of the foregoing and now pray God Almighty may spare you in a happy, healthy and long continued government." If the Spanish Inquisition can show anything to equal this I have yet to find it.



THE DUKE OF ALVA

From an old caricature

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he was, it is true, accused of heresy by the Dominican inquisitor. But instead of being burned he was given a fair trial and defended himself so ably that he was completely exonerated. Yet the Dominicans were in full control of the Spanish Inquisition, and there is nothing that goes further to prove the comparative mildness of the Spanish Inquisition, and the tendency towards tolerance in regard to differences of opinion, than the fact that in Spain—where the Blessed Virgin was more revered than in any other land—the Dominicans were in charge, despite the fact that they openly attacked the accepted dogma of the Immaculate Conception.

Moreover, in that most ardently Catholic of all Catholic countries, in the land ruled by the most devout of all Catholic monarchs, in the empire wherein the Inquisition had its last and strongest hold, many books and writings were approved by the Inquisition which were prohibited elsewhere, while the remarkable works of Raymond Tully, that had come near disrupting the Church, were not only permitted but even recommended by the Inquisition, and were most highly praised by the King himself.

No, the Spanish Inquisition was designed for a specific purpose: the total elimination of Islamism and Judaism in Spain, though the short-sighted and misguided Christians imagined it was thereby placing all business and commerce in Christian hands and enriching the Crown and the Church.

But as is so often the case, the Inquisition carried

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matters to extremes. Not content with trying and sentencing those accused of being relapsed converts, outrageously unjust rulings were made which practically deprived all reconciled penitents of the means of earning a livelihood. These unfortunates could hold no offices, they could not use gold, gems, silk nor fine wool; they could not engage in any honorable nor independent employment, and good Christians were forbidden to aid them if distressed or to do business with them. Unjust and onerous as were these persecutions, they were merciful and lenient by contrast with the penalties imposed on penitents in the Middle Ages when long pilgrimages, scourgings, wearing crosses, even years of solitary confinement were the rule. But the results were far worse and more far-reaching. Business and commerce were almost paralyzed, the money that had been devoted to trade was diverted to the Church, wealthy merchants were transformed to beggars over night, and a financial and business distrust spread throughout Spain. Even the Crown began to fear that the Inquisition was becoming something of a Frankenstein which might destroy the power of the throne that had given it birth. The Inquisition had become enormously wealthy, enormously powerful, and the Grand Inquisitor, becoming more and more ambitious, had instituted the Order of *Santa Maria de la Espada Blanca*, a military organization whose head was the Inquisitor-General, whose members were all *Limpiezas*, who all swore absolute obedience

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to their chief both in peace and war, and whose property was all made over to the Church. So rapidly did this inquisitorial military force spread that it was firmly established in nine of the provinces of Spain before Philip II resolutely stamped it out as a menace to his own power.

But the Inquisition had long before usurped much of the power of the monarchs of the country, and it was not until the Bourbons occupied the Spanish throne that the Spanish kings dared to interfere in the affairs of the Inquisition and to make it secondary to the Crown.

Charles III on his accession (1759) to the throne had set limits to the power of the Inquisition which already had outlived its usefulness and its time. Yet when Napoleon entered Madrid, in 1808, it was still in force, and although suppressed by him it was not officially ended until the act of the *cortes* on February, 12, 1813, when it was declared incompatible with the constitution. Despite this, it was restored by Ferdinand VII on July 21, 1814, only to be again abolished by the Liberal Revolution of 1820, and once more temporarily restored in 1823. It was finally and forever dissolved as a principle of the religious liberty proclaimed throughout Spain and her dominions on May 8, 1869, although the use of torture had been officially abolished by the Pope half a century earlier—in 1816.

But in the meantime the Inquisition with all its abuses, its intolerance, its evils and its misguided

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zeal had spread to the New World where—as is so often the case—the malady became far more virulent than in the land of its origin and where there was no reason nor excuse for its existence.

CHAPTER XII

THE INQUISITION IN AMERICA

WHILE the Spanish inquisitors had been busy hunting out relapsed Jews and Musselmans in Spain, and gradually usurping all the powers and perquisites of both Church and Crown, Spain had been acquiring a new world overseas. Cortes had been conquering Mexico, Pizarro and his ruffians had been murdering, looting and destroying in fabulously rich Peru, and the men who, in a former generation, would have been the most fanatical, merciless and relentless of inquisitors, were expanding their zeal and their surplus energies in baptizing or burning the inhabitants of New Spain. It had become the era of the church militant rather than the church inquisitorial, for in a land where there had never been Christianity from which to relapse, nor Jews and Saracens to revert to their old faiths, it was hard to see where the Inquisition would find a place. But, sooner or later, the inquisitors argued, there would be heretics to prosecute, sorcerers to punish in the new land, hence Ferdinand IV decreed that the Inquisition should be established in New Spain, and in 1516, Juan Quevado, Bishop of Cuba, was appointed the Inquisitor-General of America.

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It was during this period, when Spain was acquiring lands, riches and converts in the western hemisphere, that Protestantism burst forth in Europe. And Spain was far too busily and profitably engaged in her own affairs to bother over the spread of a new heresy that did not trouble her or her Catholicism, and which—as long as it occupied the attentions of other nations—prevented them from trying to get their fingers into the New World pie. Moreover, the Spanish Inquisition had been solely and preëminently Spanish. It had never attempted to interfere in any matters outside of Spain and the Spanish dominions; it did not concern itself with what was happening next door, and the Lutherans had, so far at least, given Spain a wide berth. Even had they desired to do so, the Spanish inquisitors knew they would be powerless to suppress the wave of the new heresy throughout Europe. It was a matter for the Pope and the local representatives of the Church to settle as best they might, and while countless thousands of Indians remained to be baptized in the New World they did not bother their heads over matters in the old.

Never in the history of Mother Church had there been such an opportunity for the aggrandizement of a nation's wealth and power and the spread of the Gospel, and the Spanish soldiers and the Spanish priests meant to make the most of it—to make hay while the sun shone and while Great Britain was too busy with internal troubles between Catho-

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lies and Protestants to interfere.* The Church was firmly established in Mexico; Peru had fallen to Pizarro, and Lima had become the seat of Spanish power; Cartagena de Las Indias had become a great rich city, while Hispaniola, Cuba, Jamaica and scores of other spots had become thoroughly Spanishized. In fact the New World was becoming so Spanish that already stories and complaints of persecutions and excesses committed by the Inquisition had been brought to the ears of the King of Spain. There were sad tales of the inquisitors oppressing, torturing and even burning the ignorant natives on trumped up charges, of their "adjudging" the Indians guilty of heresy and sorcery in

* In 1654-1685, the Italian Catholics waged a relentless war upon the Waldenses. But nothing the Italians nor the Inquisition had done equaled the demoniacal, bestial outrages committed by the Irish refugees who had been driven out of Ireland by the severities and cruelties of Cromwell. Samuel Morland, then British ambassador to Savoy, was an eyewitness of this horrible massacre of the Waldensians and described some of the inconceivable cruelties and tortures he saw. The heads and breasts of the people were cut off, boiled and eaten, while the companions of those decapitated and the women who had been mutilated were forced to watch the cannibalistic orgy. Fire was applied to every tender portion of men and women alike. Women were spread-eagled and their abdomens hacked open with flints. Young girls were impaled on lances and carried about like banners by the Irish mercenaries. Men and women were lashed to stakes, various parts were amputated and these were forced into the mouths of the victims. Young girls were roasted alive on spits and their breasts and muscles sliced from their living bodies and eaten like tidbits by their torturers. Mouths were filled with gunpowder which was touched off. Scores were flayed alive. Brains were beaten out, roasted and eaten by the Irish savages. Hearts were cut out and devoured raw. At Garigliano, a huge oven was heated, and eleven of the captives were forced to throw one another into it until only one remained, this last wretch being tossed into the furnace by his torturers.

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order to wrest their property from them; there were complaints that subjects of other monarchs who, for one reason or another had visited Spain's new territories on legitimate business, had been persecuted as heretics despite their supposed immunity under international law. And evidently the king was convinced of the truth of some at least of these, for on October 15, 1538, he issued a royal edict confining the activities of the Inquisition in America to European colonists and no others. But three years later, Philip II removed these excellent restrictions; he established permanent tribunals at Lima, Mexico, and Cartagena, and later he even created an itinerant form of the Inquisition to function on the fleets and galleys and in the armies of Spain.

Yet as far as known no open and aboveboard prosecution was conducted by the Inquisition in America until the *auto-da-fé* held at Mexico in 1574, fifty-eight years after the Inquisition had been established in the New World. That does not mean, however, that the Inquisition had been idle. Not by any means. Heretics were not abundant in America, and the rough and ready soldiers of fortune, the adventurers and colonists, were not the type of men to bother their minds very greatly with matters of a spiritual nature.

With few exceptions they were devout Catholics, but they did not care a whoop whether their companions at arms held the same religious views as

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themselves, and they had learned by experience that a converted Moor, or even a nonconvert for that matter, could fight as well and could swing as trusty a blade or bend as strong a bow as a good Christian, and that heretical tendencies did not necessarily prevent a man from being a good soldier. And the Inquisition, or rather the inquisitors, in the New World, soon became somewhat cautious and wary about pressing matters too zealously and persecuting as well as prosecuting every *Converso* and *Marrano* who came to Spain's new domains. It was mainly these men who supplied the funds for conquest, who furnished the sinews of war, who supplied a ready market for loot and who owned the very necessary ships and outfits. And the most fanatical and exalted of Catholic generals was likely to raise particular Ned if the Inquisition weakened his man power by seizing blasphemous, hard-drinking and altogether reprehensible men-at-arms on charges of heretical behavior. Indeed, even Cortes, who was perhaps the most devout and sincere of Catholic conquerors, would not brook any interference on the part of the priests in his campaign. It was quite all right for the friars to burn the unfortunate Indians who refused to embrace Christianity and to prosecute and punish those who, after baptism, reverted to the beliefs and practices of their ancestors. But it was quite another matter to accuse a Spanish soldier or even a colonist of heretical acts. And the Church, as represented by

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the priests and friars in America, realized that its existence in the New World, its entire future in America, was dependent upon the rough, hard-bitten, loud-swearing, obscene, often blasphemous, devil-may-care rascals who unsparingly wielded their swords that the Cross might follow in their bloodstained footsteps.

Now and again, to be sure, a heretic fell into the clutches of the Inquisition in Lima, Cartagena, Panama, Mexico or elsewhere. Sometimes these straying sheep were natives of Spain, sometimes of France, and occasionally of Italy, Holland, Germany or even England, and quite frequently they were fugitives who mistakenly imagined that they would be safe in the raw New World and so walked unwittingly into the lion's mouth, so to say. One such, who had been repeatedly prosecuted and had as often managed to escape the clutches of the Church, finally solved his problem by turning cobbler and setting himself up in business in a little shop in the very shadow of the Inquisition building. No one dreamed of searching for a relapsed heretic in such a spot, and he dwelt unmolested and earned a good livelihood by cobbling for the friars who would have been only too glad to have stretched his body on the rack had they suspected his identity. Still, we should not waste much of our sympathy on such ne'er-do-wells and evil-minded rascals as were most of these social and religious outcasts. They were a menace to the public and the peace

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even in those wild and lawless days, and were well out of the way. And in every known case they were far more leniently and mercifully treated by the Inquisition than would have been the case had they been dealt with by the military or civil authorities. Yet it was very largely this sort of thing that led to the exaggerated and unfounded stories of the wholesale persecution, the tortures and the burnings of English and other Protestants by the Inquisition in Spanish America. Unfortunately the records of the Inquisition in America are very incomplete and fragmentary, and in most cases they have been completely lost or destroyed. But despite the fact that the organization held a firm foothold and almost unlimited power in the New World, that its members were most fanatical, and that they were completely equipped with every diabolical device of the Middle Ages, there is little evidence of any great abuses or any real persecution of Protestants.

There are, however, plenty of records of the prosecution of criminals and malefactors who, because of their nationality, happened, sometimes, to be Protestants. Not infrequently British, Dutch or other pirates were captured by the Spaniards and were duly tried and condemned as such. And such rascals—who were known to have committed every conceivable and many inconceivable atrocities upon Spaniards—were not treated with any great tenderness or consideration by the dons and were at times tortured. But I have been unable to find a single

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authentic record of such trials, tortures or penalties having been inflicted because of the heretical beliefs of the prisoners. In every case, as far as I have been able to determine, the trials, the tortures, if any, and the executions, which were rare indeed, were carried out as due processes of military or secular law. Prisoners charged with piracy, robbery, murder or any other civil or military offense were tried on those charges. But as was invariably the custom (and still is in some countries), a representative of the Church was always present at such trials, and this unquestionably led to the wild tales of the Inquisition hounding, persecuting, torturing and burning Englishmen because they were Protestants.

Any one who questions the leniency of the Spaniards and the Inquisition in their treatment of British or other prisoners has only to look into the historical facts. Take for example the treatment accorded the buccaneers when captured by the Spaniards.

When Monsieur Ogeron and his cutthroats were taken by the Spaniards in Porto Rico they were neither abused nor tortured, although compelled to labor on the public buildings like ordinary malefactors, while two of their number who claimed to be physicians, were given their liberty in order that they might practice their profession for the benefit of the public. And when these same prisoners managed to escape, and after brutally murdering two

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Spanish subjects, were retaken, they were treated no more harshly than before.

Again, when Sharp and his crew of pirates were murdering and robbing up and down the west coast of South America, two of the buccaneers were captured by the Spaniards at Arica. One of these was a surgeon, the other an apothecary of sorts, and both were allowed full liberty and were well treated, well paid and were far better off than ever before in their misspent lives while for two years they remained among the dons. In every case it was the same. When the Spaniards captured an Englishman the question of religion never arose. It was taken for granted that the British were all heretics; it was deemed as much a matter of course as that Moors or Turks should be Mussulmans or Jews Israelites, and consequently outside the pale of the Church and not answerable to the Holy Office unless they had been converts and had relapsed.

Yet the Spaniards scarcely could have been blamed had they put every English prisoner to the torture as reprisal for the inhumanities shown captured Spaniards by the British. The Inquisition, even at its worst, never employed tortures that could compare with those used by the British, French and Dutch freebooters to force their prisoners to reveal the hiding places—real or fancied—of their treasures. Rack, wheel, *strappado*, even searing with hot irons—all were mild compared to the meth-



AN AUTO-DA-FÉ IN THE PHILIPPINES

From an old print



AN AUTO-DA-FÉ IN LIMA

From an engraving of about 1645

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ods used by Sir Henry Morgan, Lollonais, Brazillero, Rock, Davis, Mandsvelt, Sharp, Montbars and scores of others.

Roasting over hot coals, toasting on iron grills, burning out eyes, hanging by the toes, flaying alive and innumerable other pleasantries were every day matters when these gentry sacked Spanish towns and took Spanish prisoners.

Worst of all, these unspeakable cruelties were practiced for purely selfish and personal motives—the wringing of valuables from helpless prisoners—and did not even have the flimsy excuse of the Inquisition. Yet, all too often, the British, in order, partially, to justify or excuse their damnable inhumanities, claimed that the Spaniards used tortures in their inquisitorial proceedings and prosecuted Protestants, and hence it was quite right and proper to torture the dons. Had the freebooters confined their attentions to torturing the priests and friars we might be inclined to regard these claims as having at least a foundation of sincerity. But as a matter of fact there was no such discrimination, and regardless of age, sex or profession, any one and every one suspected of having secreted valuables was put to torture of the most fiendish description.

Moreover, the most heinous of these atrocities were committed after more or less of a truce had been established between the Catholic Church and the Protestants and when, even in Spanish America,

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the Inquisition had become little more than a formality and a tradition.

Neither must we overlook the fact that in the bitter struggle between Catholicism and Protestantism that was waged in Europe during the greater portion of the sixteenth century, there was little choice as to the methods employed by one side or the other. When, in 1554, King Philip and Queen Mary ascended the British throne, all the ancient inhuman laws in respect to heretics were at once revived. The laws authorizing the use of torture and the burning of heretics had been repealed, but under the new monarchs they were reëstablished and enforced, and the prosecution of heretics in England became more fanatical, more rigorous and more merciless than in Spain itself.*

Then, in 1558, Elizabeth ascended the throne, and the first act of her first parliament was to repeal all the antiheretical laws—or perhaps rather to reverse them—so that from being the hunted the Protestants became transformed to the hunters. All that they had learned from the persecutions by the

* Archbishop Carranza, inquisitor for Philip and Mary, boasted upon his return to Spain, that during his four years in England he had burned, reconciled or driven from the land more than thirty thousand heretics. The first man to be burned under the Inquisition in England under the régime of Philip and Mary was John Rogers. The *New England Primer* contains the following account of the affair: "Mr. John Rogers minister of the gospel in London, was the first martyr in Queen Mary's reign; and was burnt at Smithfield February the fourteenth 1554. His wife with nine small children, and one at her breast, followed him to the stake; with which sorrowful fight he was not in the least daunted but, with wonderful patience, died courageously for the gospel of Jesus Christ."

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Inquisition were employed—with additions and improvements in devilishness—against the Catholics.

In Germany and elsewhere it was much the same. Although three years earlier, in 1555, the treaty of Augsburg had provided for the toleration of Protestants, no provision had been made for the toleration of Catholics who, after the establishment of Protestantism in England in 1559 and the passage of laws prohibiting Catholicism in Scotland in 1560, became the heretics in Great Britain and other Protestant countries. In this connection it is of interest to remember that long after the Spanish Inquisition had outlived its usefulness and had practically passed away, burning for heresy remained an integral part of the English law and was not repealed until 1676, while in 1696 a youth of eighteen was hanged for heresy in Scotland.

Had the same conditions prevailed, had the same opportunities and powers been presented then, the Protestant ministers and missionaries would have been as bad if not worse than the Catholic priests and friars with the Inquisition to back them up.* If

* When, in 1562, the French Huguenots took Dieppe, they vented all their fiendishness upon the Catholics of the city. Priests were dragged to death tied to the tails of horses. Others were buried in the ground with only their heads exposed and the Protestants then amused themselves by rolling bowling balls at the heads which served them as nine-pins. In March, 1565, these French Protestants committed even worse atrocities. The priest of St. Ouen was seized, larded like a capon, roasted over a fire, carved like a cooked fowl and his flesh thrown to the dogs. Other priests were sawn in two, flayed or tortured in every conceivable manner. At Chasseneuil, Friar Loys Fayard had his hands plunged in boiling oil and boiling oil was poured in his mouth and ears. In Rivieres, priests and citizens were

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we look into the history of the British and other colonies in America we will find plenty of instances to prove that it was the individual and not the religion that made a travesty of Christianity and used the cloak of sanctity to cover evil deeds and villainies. And there are few chapters in the history of the Inquisition that can equal the Salem witchcraft trials and persecutions when it comes to fanatical and superstitious inhumanity and cruelty; and as for bigotry in the prosecution of other sects we can find few more glaring examples than were presented by the New England Puritans in their attitude towards the Quakers, Catholics and others.

Had the Puritans possessed the Inquisition I have no doubt they would have employed the rack, the wheel and the thumbscrew upon their neighbors with the utmost glee. And for centuries after the Catholic Church had wholly abandoned the prosecution of heretics and had tolerated Protestants, the sanctimonious New Englanders treated Catholics as the

hung up by the feet, had their tongues or eyes torn out and were roasted. One of the Huguenot leaders, Briquemaut, cheered and encouraged his followers to murder while wearing a string of priests' ears about his neck. When the Catholics of Orthez were "suppressed" the bodies of those killed and thrown into the river dammed the stream. Over 3,000 were slaughtered at this time. Baron D'Adrets, a Huguenot chief, amused himself by forcing Catholic men and women to leap from a tower onto the pikes of men stationed beneath.

It is impossible to say how many Huguenots were slaughtered in France. No records were kept and there was no attempt even to try them as heretics. Estimates of those killed in Paris alone range from one to ten thousand. For all of France the numbers have been conservatively placed at about twenty thousand.

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personifications of Satan and hounded and persecuted them on every possible occasion.*

But the Spanish Inquisition in America was not, as I have said, very greatly concerned with the

* In Ireland, Cromwell equaled the Inquisition in many of his acts. Dermid O'Hurley, archbishop of Cashel, was taken to Stephen's Green, Dublin (1538) lashed to a tree, his boots filled with combustibles, his limbs bared and smeared with alcohol and oil. Then his torturers alternately lit and extinguished the materials, prolonging his agony for four days. As he still remained true to his faith, he was finally burned to death. In Kilmallock, Patrick O'Hely, bishop of Mayo, Father Cornelius, a Franciscan and others were tortured by having their thighs broken with hammers and their arms crushed with levers. Catholics could hold no commissions in the army or navy nor could they serve as common soldiers. If a Catholic, child or adult, attended a school kept by a Catholic he forfeited all property present or future. To teach Catholicism was punishable by exile which was also the penalty for being a priest. No Catholic could hold or own land. In Scotland, during the reign of the Stuarts, Presbyterians were hunted down like wild beasts and torn to pieces by hounds. Their ears were torn from their heads, women's breasts were cut or torn off, their fingers crushed by screws, their leg bones shattered by iron boots. Yet when the Protestants got the upper hand they did the same to the Catholics. In Puritan New England Quakers were hanged, flogged half-naked through the streets, branded, "bored through the tongue with a hot iron," had their ears cut off, hands amputated. Flogging with tarred ropes until the "flesh shall be a jelly" was an everyday matter. Many were sold as slaves in the West Indies. At New Haven, Humphrey Norton was flogged and branded in the hand with the letter "H." Many were soaked in water and tied out of doors in mid-winter to freeze. At Dover, Anne Coleman, Mary Tomkins and Alice Ambrose were tied to a carttail, stripped to the waists, and flogged through eleven towns—a distance of nearly eighty miles. For days thereafter these poor women were stripped and flogged. Then they were dragged, almost naked—by ropes fastened to their arms—through fields, across stone walls, brush fences, jagged stumps and over ice-crusting snow for a mile. The next day they were cast into the river, and were driven from the town to spend the night out of doors in mid-winter. Once, while being flogged at the carttail in Dedham, the brutal executioner struck so savagely at Anne Coleman that "ye knot of his whip did split ye nibble of her brest, which so did inconvenience her it almost deprived her of life thereby causing much laughter of ye Priest, Mr. Bellingham."

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question of heresies. Indeed, had the inquisitors confined themselves wholly to this branch of their business, the rack and wheel would have become rusty from disuse and cobwebs would have draped the doors of the prisons. But as the Inquisition dealt with innumerable crimes and sins, prominent among which was sorcery, the Inquisition was never idle.

Charlatans, alleged witches, diviners, astrologers and sorcerers abounded in the New World, not only among the Spaniards but among the credulous, superstitious Indians, and just as the Inquisition of the Middle Ages became in time devoted largely to witch-hunting, so that of the Spanish in America found little else to do.* And as the older Inquisition became corrupt and employed its powers for personal gain and became perverted to an instrument for political purposes, so this later organization became transformed from an institution of a strictly religious character with lofty if mistaken motives,

* How trivial were the affairs to which the Inquisition devoted its attentions and how little of importance there was to occupy the minds of the inquisitors may be judged from the fact that at one time the Inquisition in Lima actually undertook to regulate the manner of wearing veils by the women and forbade the feminine members of the community from watching passers-by from behind the lattice work of the outjutting windows or "miradors." Naturally, the busy-body inquisitors stirred up a hornets' nest that buzzed about their ears and made them wish they never had interfered in women's ways. And when, on another occasion, they brought threats of inquisitorial proceedings in regard to the love affair of an amorous viceroy, he retaliated by having several deported on the charge of fomenting political plots! This, however, was long after the power of the Inquisition had waned and it had become little more than a dead letter.

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to a tremendously powerful machine operated by avaricious, ambitious, unprincipled men who prostituted their church for the basest of motives.

As the Church rose in power in Spanish America and the conquests were completed and colonial governments under corrupt viceroys and politicians were established, the Inquisition, or rather the inquisitors, became more and more arbitrary and saw in their almost unlimited powers a means of securing political influence and preferment and of levying tribute from the people.

The fact that the Inquisition was a Catholic institution and the friars Catholic priests had nothing to do with the case. It would have been exactly the same had they been Protestant ministers, Jews, Moslems or pagans. Here was a vast, rich, only half-tamed, partly civilized land; a land cut off by thousands of miles from the authority of the home government, from all of the old established laws and order; a land wherein every man was to a certain extent a law unto himself; a land of credulous, terrified, cowed, superstitious natives and of ignorant, unlettered yet devout Spaniards who regarded the Church and its representatives as beyond the possibility of wrong; a land wherein the disolute governors and viceroys were absolutely supreme in temporal power, and wherein the Inquisition wielded greater power than ever before or since was vested in any organization or in any human beings.

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The temptation was tremendous, and the types of men of whom much of the priesthood was composed were not those to resist temptation for over long. They saw men—far more ignorant, more illiterate, more unworthy than themselves—occupying exalted positions, living lives of ease, surrounded with every luxury and pleasure and reveling in riches. They saw these men oppressing the people, prosecuting and destroying them on any flimsy pretext in order to climb another rung of the political ladder or to acquire greater wealth, and they noticed that these monstrously evil men did not bring down the wrath of God upon their heads nor, apparently, fare any the worse for their sins. Moreover, through long years of conquest and association with the cruel, adventurous soldiery, they had become callous, accustomed to human suffering, while finally they regarded all unconverted Indians as little less than brute beasts—at any rate as beyond all consideration from the humanitarian viewpoint.

As a result, the Inquisition became little more than an instrument for the oppression of the common people, a tool for prying wealth from those who had it, a device for destroying the opponents of the ambitious prelates and their political friends, and a secret service bureau for ferreting out the innermost thoughts, the most carefully concealed plans of those who sought to overthrow the existing order of things, to report conditions to the Crown

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or to interfere in any way with the machinations of politics and the priests. Probably the darkest, most disgraceful chapter in the entire history of the Inquisition was that of the Spanish Inquisition in America.

It is not necessary to search the musty records, to pore through the archives of the Spanish colonies in order to learn the truth of the matter or to reveal the conditions that prevailed. There is abundant evidence in the Inquisition buildings that still remain, much as they were in the old days, together with the devilish devices that were used to befool, delude and terrify the victims. Racks, wheels and other contrivances for torturing would be expected, but in their later activities the inquisitors of Spanish America did not depend so much upon the fear of torture as upon terror of the unknown, the superstitious dread of the mysterious and the seemingly supernatural. They had learned that the mere agonies of the flesh were not so efficacious as mental tortures, and they played upon the credulity, the superstitions and the ignorance of the people instead of searing flesh and breaking bones as had their less refined and more inexperienced predecessors. There was another reason for this, too. A man or woman who had been stretched on the rack, burned with hot irons, subjected to the *strappado* or otherwise physically maltreated bore tangible proofs of having been subjected to torture. But the person unfortunate enough to have been "examined" by

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the Inquisition and who had merely been starved, kept without water, browbeaten, driven almost insane by mysterious, uncanny happenings, and who had found that his very thoughts had apparently been read by the inquisitors, had no evidence to exhibit to prove his story if he dared make a complaint of his mistreatment.

But there was comparatively little danger of any such complaints being made. Even the viceroys were practically powerless as opposed to the inquisitors, and it behooved them to work with the Inquisition, not against it. Plots and intrigues were rampant; no man could feel sure his official—or even his corporeal—head might not fall at any moment, and the tyrannical, corrupt and utterly unprincipled men who, nine times out of ten, held official positions and had to be ruthless in order to keep them, found the Inquisition a most useful and valuable ally and its members most excellent spies. As a result, the politicians and the priests worked hand in hand, and it was an evil day indeed for the former when they attempted to interfere with the Inquisition.

That any avowed Christians, much less priests or friars, could have so degraded themselves, could have stooped so low, could have so perverted their religion and their church seems incredible to us of to-day. And were it not for incontrovertible proofs we could not believe that such things ever took place or that men, ostensibly devoted to the glorification

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of God, could have shown such devilish ingenuity in devising means for hoodwinking and terrifying their fellow men. In the Inquisition building at Lima, Peru—an edifice used until recently as the Senate Chamber, and a marvelous example of Spanish colonial architecture with its ceilings, doors and fittings of massive, elaborately carved woodwork—there still remain the secret peepholes through which the inquisitors could watch their victims who, thinking themselves alone, unburdened their hearts to the image of the Savior. But even the holy figure was a snare, a delusion, a damnably designed mechanism for the undoing of the penitents. The figure, still preserved, was so arranged that it could be made to nod or shake its head by means of a concealed cord operated by the friar watching through the peephole in the woodwork. And the penitent was so placed that he knelt upon a hidden trapdoor that could be released by a touch of the watching priests, thus dropping the victim into the dungeon below. Of course such devices, that might have been invented and arranged by Satan himself, were not approved of, if even known to the dignitaries of the Church. But by that period in its history the Spanish Inquisition had become practically independent of the Church, and just as had been the case with the Inquisition of the Middle Ages, many absolutely unprincipled scallawags had joined the Order of the Dominicans, and other orders as well, merely as affording a means of carrying

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on their rascality, their crimes and their licentiousness under the cloak of religion.

And unfortunately, the Inquisition had fallen into the hands of this type of man who no more represented the Church nor the majority of the priesthood than a shyster lawyer represents the law or the bulk of the legal profession. These men came from the same strata of society as the rapacious, unprincipled adventurers and soldiers of fortune who swarmed to the New World in the trains of the conquerors, and were identical in their characters, consciences, cruelty, avariciousness and every other way.

They were of the same stamp, cut from the same cloth, regardless of whether they wore cassocks or coats of mail, whether they bore the sword or the cross. They were just as much adventurers as the roughest, most despicable of the soldiers, and usually were, if anything, a shade worse, for whereas the men-at-arms were willing to face the dangers of battle, were willing to fight openly, and made no bones of their intentions and purposes, the others were too cowardly to take up arms and hid their real purposes, aims and desires under the protective cover of the friar's habit and the sanctity of the Church. It is no discredit to the Church, no reflection upon the Catholic faith or upon the priesthood that this was so. It was the result, the inevitable result of the times and conditions in America and of the grave mistake of placing unlimited power

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over both the bodies and the souls of men in the hands of any organization amenable to no other authority. It would have been bad enough, dangerous enough and would have led to outrages and abuses anywhere, and in America conditions particularly favored such abuses. The New World was too far from Rome and the supervision of the Holy See for supervision even had the Spanish Inquisition admitted the authority of the Pope, which it did not. And the popes were having too many troubles of their own to maintain a watchful eye upon the priesthood and the Church in far-off America. Finally, the unprecedented demand for an army of ecclesiastics in the newly conquered territories was so great that the supply of priests was inadequate, and almost any man who was willing to take orders was reasonably certain of being sent overseas to spots where there was little secular and still less ecclesiastical law in force.

Even the hard-fisted, reckless, unprincipled conquerors realized the deplorable state of affairs in the priesthood in America. Cortes, when asking for priests to be sent to Mexico wrote: "See to it they are not pampered bishops and licentious prelates but goodly men of pure and unblemished lives. Thus only can they exercise influence over the people."

And Mancio Sierra, when writing of the Incas, declared that despite the fact that they were pagans, the Incan priests led sincere, pure and earnest lives according to their religion, and devoted themselves

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to teaching, to stimulating their people to honesty and sanctity "which our own (priests) would do well to follow as examples, though as it is they devote more (time) to the acquiring of the treasures of earth than to the rewards of Heaven, and by their behaviour defame the True Faith in the eyes of the Infidels."

Even illiterate, cruel, bestial Pizarro more than once called priests and friars to account, but neither he, Cortes, nor the other conquerors had time to devote to disciplining the ecclesiastical members of their armies even had they dared, and to have taken any very severe measures or to have used high-handed methods with the clerics would have been merely to jeopardize themselves. Among the priests who accompanied Pizarro was one who assured the soldiers that the test of a true gem was to strike it with a hammer. If the stone broke it was false while if genuine it would be uninjured. Naturally the huge emeralds and other jewels were cracked and the canny friar surreptitiously collected the fragments and sold them for a tidy fortune when he returned to Spain. Another, sent from Hispaniola to join the forces of Cortes, brought along a supply of forged papal indulgences which he sold to the credulous soldiers for large sums in good gold, and this despite the protests and threats of the worthy and pious Father Olmedo who was present in Mexico at the time. In fact the rascal continued to ply his nefarious trade until

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he had exhausted his stock, whereupon he returned to Hispaniola a rich man. But he did not profit by his wickedness. Father Olmedo had reported the fellow's rascality to his superiors; he was severely dealt with, and his fortune was confiscated and devoted to the use of the Church. Such abuses were common; scores could be mentioned, and no doubt thousands of others were never known or at least were never recorded. But whenever they were brought to the attentions of the authorities of the Church, and it was possible to do so, they were duly punished and the scoundrelly priests unfrocked. If they happened to be inquisitors, however, they were practically immune from any interference.

We must not, however, assume nor imagine for a moment that all or even a majority of the Dominicans and others who came to America in those days were of this stamp. For every rascally priest or friar who disgraced his habit and his church there were scores of pious, zealous and holy men who devoted their lives and energies to the cause of the Church and of Christianity. One has only to read the contemporary accounts of the conquest of Spanish America in those days and to peruse the writings of such priests as Las Casas, in order to be convinced that the bulk of the priests were all that could be asked or expected.

But as is always the case, a few black sheep gave an evil name to the entire flock, and in shuddering at the abuses and the misdeeds of the Spanish In-

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quisition in America we overlook and forget the tremendous task that the Church faced in the New World, the obstacles it overcame, and the power that it exercised for good, for charity, for Christianity and for the benefit of mankind.

Always, in every great transitional period in the history of the world, there are bound to be abuses, cruelties, inhumanities and evils. Always there have been and always there will be bad, evil-minded, dishonest and despicable men in every profession and every walk of life. Neither must we forget, before pointing the finger of scorn and accusation at the priests and friars of New Spain, that many a sanctimonious minister, deacon and preacher of the Protestant Church in New England, New York, and elsewhere in the British colonies, dabbled in piracy, slavery, smuggling and other shady but profitable transactions. A letter written by a Quaker elder of Rhode Island to a Yankee shipmaster, says: "Thy goods were sold to great advantage without suspicion, saving the blacks. These were wholly a loss, for a sail being seen we feared a search and cast them overboard. I am willing to handle all such goods as thee may'st bring from the Indies, but not the blacks which are too great a danger."

Surely, casting helpless, shackled slaves overboard to avoid possible detection as smugglers was not much less criminal or cruel than giving a man a taste of the rack or burning his body after he had

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been strangled, even if done for the sake of pecuniary profit.

And the Spaniards paid dearly enough for whatever misdeeds were the result of their Inquisition. Their punishment, if slow, was inexorably sure. With the revival of the Inquisition under Ferdinand and Isabella, Spain was doomed. Her decadence and decay were primarily the direct results of the Inquisition. And her intolerance, her bigotry, her political corruption in America, that were closely linked with the Inquisition if not largely attributable to it, and its abuses and machinations, resulted in the loss of all the colonies she had won and reduced the once richest and most powerful nation on earth to a conquered, bankrupt kingdom. All that the Inquisition accomplished was its own downfall, the downfall of Spain, the loss of countless thousands as converts to the Protestant Church, and the provision of a weapon for anti-Catholics to wield unsparingly against the Roman Church.

In all the long centuries of its existence it is doubtful if the Inquisition ever resulted in any lasting good, any real benefits to mankind. It was in vain that it endeavored to suppress heresy, to control the minds of men. Creeds sprang up, flourished, grew and bore vast harvests faster than the Inquisition could uproot them. Books, literature, learning, intelligence, education and enlightenment were bound to triumph over bigotry, fanaticism and tyranny regardless of the incentives behind them.

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Sorcery, magic, witchcraft and superstition gave way before the light of common sense, science and progress, and not through dread of torture and fear of the stake. Law and order were evolved from chaos through the necessity of society working out its own salvation, not by threats of eternal damnation or promises of everlasting salvation. And tolerance, charity, humanity and brotherly love did far more to preserve and spread the Christian faith than all the centuries of oppressions, burnings and persecutions of the Inquisition.

In its conception the purposes of the Inquisition were admirable, its aim was most laudable and there is no question that it was born of necessity and fathered by sincere, earnest and devout desires to benefit mankind and to maintain the Christian faith. But no chain is stronger than its weakest link and the weak link in the chain of the Inquisition was—man. The human element necessarily entered into it, and humans, even at their best, are weak, selfish and easily led astray. No man ever lived who was strong enough, big enough, incorruptible enough, sincere enough and infallible enough to have carried the powers and the responsibilities of the Inquisition without falling under the burden. Only supermen, angels—no, divinities—could have made the Inquisition other than it was, and, unfortunately, neither divinities nor even angels were available.

No doubt the Inquisition had its place in the world, no doubt it was one of those seemingly unfor-

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tunate necessities like wars, pestilences and cataclysms that must be fated to occur in the grand scheme of things. Perhaps its very horrors and inhumanities have helped us to more fully appreciate our own blessings and liberties; perchance its oppressions and intolerances have helped to teach us tolerance and respect for others' rights to worship in their own way. If so, then the Inquisition had its purpose, its power for good, and did, after all, accomplish not only something, but conferred a lasting and immeasurable benefit upon mankind.

CHAPTER XIII

THE INQUISITION IN PERU

ALTHOUGH the Inquisition was not officially established in America until January 9, 1570, when Servan de Cerezuela arrived in Lima with the Royal Cedula for the founding of a Tribunal of the Holy Office, the New World already had had a taste of inquisitorial methods. Accompanying the conquerors and the earliest colonists and officials, had been many priests who were members of the Inquisition in Spain, and who were duly authorized by the Inquisitor-General of Spain to serve as his delegates in America. As they were specifically instructed not to prosecute the Indians, these earliest inquisitors found the field of their endeavors somewhat limited. Nevertheless they managed to ferret out a certain number of alleged heretics and others, and as early as 1548 the Archbishop of Lima, Geronimo de Loyaza, conducted an *auto-da-fé* at which a native of Flanders, Juan Millar, was burned at the stake on the charge of being a Lutheran—one of the few prosecutions for Protestantism recorded in America. The next burning recorded in Peru was in 1560 while a third was held in 1565.

As at that period, and for many years later, the

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Viceroyalty of Peru comprised the entire territory of Panama, Colombia, Ecuador, Bolivia, Chile and the Argentine, the fact that there were but three *autos-da-fé* held in seventeen years, and that less than a score of persons were put to death or punished otherwise by the Inquisition in that period of time, proves how little work there was for the tribunal in the New World. Even after the Inquisition was formally established in America, with its headquarters at Lima, and when the orders against prosecuting Indians had become practically a dead letter, the activities of the Holy Office in the Western Hemisphere, bad and horrible as they were, never compared with those in Europe. With few exceptions, stories of the Inquisition on this side of the Atlantic have been grossly exaggerated. According to the records of the Inquisition in Lima, there were but twenty-nine *autos-da-fé* during the two hundred and forty-three years that the Inquisition was in force, and at these there were but eighty-six burnings, fifty-nine being persons burned alive while nine were burned in effigy or their dead bodies cremated. In addition, four hundred and fifty-eight were excommunicated, exiled, scourged, forced to perform public penances or were fined. During the same period in Spain, approximately twenty thousand were burned at the stake, over ten thousand were burned in effigy or their bodies incinerated, and more than one hundred and twenty-five thousand were condemned to prison, to the galleys or other-

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wise punished. But what the American inquisitors lacked in numbers of victims they made up for in severity. Whereas only about one unfortunate in seventy was condemned to death in Spain, one in ten was burned by the Inquisition of Peru. Partly this was due to the type of people with whom the American Inquisition had to deal. Very largely those prosecuted were ignorant, penniless, mulattoes, mestizos, and Negroes—many of them slaves—who had no influential nor wealthy friends and relatives and who possessed neither money nor property with which they could purchase their lives. Partly, too, it was due to the fact that, as a rule, the prosecutions were on charges of relapses to Judaism, but very largely it was because the viceroys were, with few exceptions, tyrannical, cruel and fanatically religious and were thoroughly in accord with the Inquisition. Moreover, the Peruvian people—or at least the lower classes who formed the bulk of the population—thoroughly enjoyed the spectacle of fellow men and women being burned alive in the plaza. They were mainly the roughest, most brutal types of Spanish adventurers, Negroes, mulattoes and half breed Indians—little more than savages—and they regarded an *auto-da-fé* as a fiesta, a holiday, and a really glorious sort of celebration. And no doubt the friars, as well as the viceroys, felt that only the most drastic punishments would serve as examples to this class of human beings. Possibly they were right in this

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point of view, for certain it was, as proved by records, that there were numerous instances of persons prosecuted, even tortured, and severely punished who, a few months later, repeated their offenses and again fell into the clutches of the Inquisition a second and even a third time.

Also, the use of tortures, their severity and diabolical character, as employed by the inquisitors in the New World far exceeded those of Spain. The latter were bad enough, God knows, but they could not compare with those of the Lima Holy Office. Moreover, the rules that—even if they were stretched to the breaking point in Europe—prohibited the clerics from shedding blood, taking a life or inflicting injuries upon the bodies or limbs of their victims, were openly and flagrantly disregarded in America.* In the New World the Inquisition, backed by the viceroys, was absolutely supreme. It bowed to no law, no authority, and on one occasion it actually condemned and sentenced the Pope, Sixtus V, although, as the Pope was dead at the time, the proceedings were something of a waste of time and trouble.

In addition to the various common and recognized

* Among the documents still preserved in Lima is one relative to the use of tortures and by which the inquisitors not only circumvented the rule against shedding blood, or injuring life or limb, but absolved themselves from so doing. The translation is as follows: "We ordain that said tortures be employed in the manner and for such time as we judge convenient after denial of the accusations, and in case of lesions, fractures or death resulting therefrom, such can be imputed only to the obstinacy of the accused."

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means of torture, such as thumbscrews, hot irons, red hot pincers, the *strappado*, the *bastinado* and the wheel, the inquisitors of Peru added a number of inventions of their own. With plenty of spare time on their hands they had ample opportunity to devote their inventive genius to new and more effective methods of wringing confessions from their uncommunicative prisoners. And they obviously were past masters in the art of torture. Not content with the ordinary form of rack they constructed an eight-foot table provided with iron rings at the four corners and an iron collar at one end. Spread-eagled upon this table, with neck, wrists and ankles immovably secured, the prisoner was uncomfortable enough. But there was a joker in the table. It was divided in the center and so arranged that the two halves could be spread apart by means of a rack and pinion hidden underneath. And as the inquisitors, standing about, put questions to the helpless wretch spread-eagled before them, one of their number would slowly turn the hidden crank that forced the two halves of the table apart, gradually stretching the limbs, body and neck of the victim until the joints were pulled from their sockets.

Another delightful method of torture employed in the Lima Inquisition was the *garrucha*, a somewhat elaborated and improved form of the *strappado* which I have already mentioned (Chapter VII). A pulley was secured in the ceiling eight or nine feet above the floor. The prisoner, stripped of his

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clothes, was handcuffed with his hands behind his back, his ankles were lashed together and attached to a one hundred-pound iron weight, and by means of a rope passed over the pulley and attached to his wrists he was hoisted as far as possible from the floor. He was then questioned by the inquisitor while thus suspended, and if he refused to reply or if his answers were not satisfactory, he was allowed to drop for several feet, to be brought up with a jerk before the weight attached to his feet could touch the floor. Needless to say, few men could withstand such torture more than once or twice, and it was seldom indeed that a man—or woman, for women were subjected to the same treatment—released from the *garrucha* was not crippled for life. The famous water cure, which our own soldiers practiced upon the Filipinos, was also in vogue in the Inquisition, but the inquisitors added a few frills to the uncomfortable process by suspending the prisoner as for the *garrucha* before administering the water, and vigorously paddling the distended stomach of their victim after several quarts of water had been forced down his throat and a gag had been firmly secured in his mouth to prevent the liquid from escaping. Then there was the torture by fire, considered—as perhaps it was—the most efficacious of all. In this procedure the victim's bare feet were secured in a sort of stocks, the soles rubbed with lard, and were then placed above a brazier of red hot charcoal and

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grilled to a turn. Finally there was a unique form of torment in which the prisoner's head, hands and feet were embedded in masonry—a sort of stone pillory—and his exposed body was mercilessly flogged with strips of rawhide or even light iron rods and the welts seared with red-hot irons.

One would think that, after having subjected them to such unspeakable agonies, the inhuman inquisitors would have felt that their victims had fully expiated any sins they might have committed. But such was not the case, and regardless of what torments they had endured, they were forced to undergo still other punishments or were put to death. And if they mercifully succumbed to the tortures inflicted upon them, or died in their foul dungeons before the sentences could be carried out, their broken and starved bodies were dragged forth and burned in public or crude images made to represent them were burned.

The offenses for which persons were prosecuted, tortured and condemned by the Inquisition in Peru—and in this connection that includes the greater part of Spanish America—were almost innumerable. Bigamy, heresy, witchcraft, seeing visions, failure to attend divine services, the possession of forbidden books or literature, writing or making statements that were revolutionary or heretical, relapses to Judaism, the celebration of Mass by those not ordained priests, priests saying Mass more than once on one day, the breaking of Church fasts, fail-

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ure to uncover in the presence of a viceroy or a dignitary of the Church, failure to denounce sorcerers or heretics, living a dissolute life, and even living among the Indians and using their weapons were among the "crimes" for which the Inquisition tried and punished the unfortunate people.

Before me, as I write, I have a number of documents in which are given the detailed records of nearly all—perhaps all—the *autos-da-fé* held in Lima, together with the names and offenses of those condemned and the penalties imposed. There is no necessity of reproducing all of these, and to do so would mean repetition and tiresome reading. But some are of interest for their unique character, while all serve as excellent illustrations of the methods of the Inquisition in Peru and the pettiness to which it stooped.

Within three years of the inauguration of the Inquisition in America its first official *auto-da-fé* was held in Lima on November 15, 1573. As was always the custom, the *auto-da-fé* was celebrated in the Plaza Mayor—now the Plaza de Armas—and six prisoners were punished, among them a Frenchman, Mateo Salade, who was burned at the stake as a contumacious heretic.

The second *auto* was not held until five years later—evidently Peru was a poor field for the Inquisition's activities in those early days—when, on April 13, 1578, seventeen prisoners were produced, among them being three priests, or rather two, for the third

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had died under torture and was represented by an image only. Both the surviving *padres*—Francisco de la Cruz and Alonso Gasco—were burned alive in company with the statue of the *padre* Pedro de Toro, who had succumbed, on the charges of sustaining heretical ideas. Of the remaining fourteen, thirteen were sentenced to public floggings, to doing penance and to exile, while the last, Dr. Agustin Valenciano, was freed and publicly declared innocent of the charge of heresy brought against him.

In this connection it is interesting to note that not infrequently the Peruvian Inquisition did declare accused persons innocent, in sharp contrast to the practice of the European Holy Office which very rarely admitted the innocence of a person prosecuted, but at most announced that the accused “had not been proved guilty.”

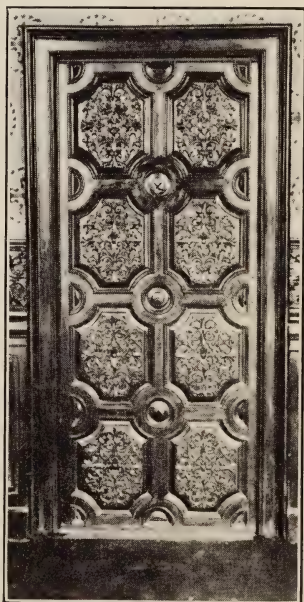
On Sunday, October 29, 1581, the arrival of the new Viceroy, Martin Henriquez, was duly celebrated by the holding of the third *auto-da-fé* in Lima with twenty-one victims, one of whom, Juan Berbal, a native of Flanders, was burned as a heretic.

During the next three years, under the administration of the Conde de Villardonpardo, who rather frowned upon the Inquisition, no *autos* were held, but with the succession of Garcia Hurtado de Mendoza, Marquis of Cañete, the Inquisition brought forth an accumulation of forty unfortunates and celebrated the arrival of the new Viceroy by a



The wonderful hand-carved ceiling and woodwork in the tribunal chamber. The lights, chairs, and desks are modern, and are used by the senators when the Senate is in session. The rest is unchanged from Inquisition days.

The beautifully hand-carved door with the secret peep-hole (x) leading into the tribunal chamber.



DETAILS IN THE INQUISITION BUILDING, LIMA

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triple burning in the persons of Enrique Axli and the brothers Gualtero and Duarte Tillit, all convicted of being contumacious heretics.

Again, on December 17, 1596, four unfortunate Portuguese were burned alive. These were Juan Fernandez de las Heras, Francisco Rodriguez, Jorge Nuñez and Pedro de Contreras, all Jews who, having accepted baptism, had reverted to their former religious practices, and hence were convicted of being relapsed Jews.

Apparently *autos-da-fé* were not only regarded as suitable celebrations with which to welcome the arrival of a new viceroy, but were also looked upon as efficacious means of pleasing the Almighty and averting threatened calamities. Thus, on December 10, 1600, when the Viceroy, Luis de Velazco, Marquis de Salinas, was at his wits' end to repel the pirates, Olivier de Nott and Simon de Cordes, and the inhabitants of Lima were panic-stricken at the threatened attack by the corsairs, the Inquisition prepared an *auto-da-fé* at which forty-four prisoners were sentenced. The existing records of the occasion show the following:

For blasphemy	4
For witchcraft	2
For bigamy	12
For suspicion of Lutherism	1
For voraciousness	1
For saying Mass when not a priest	1
Reconciled	10

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Relapsed	2
Various minor charges	11

Of these the only two burned were the unfortunate Portuguese, Baltazar Rodriguez de Lucena, and Duarte Nuñez, relapsed Jews.

In fact, at this period, the Portuguese Jews of Peru were having a mighty hard time of it. For a number of years practically all those put to death by the Inquisition were Portuguese charged with being relapsed Jews. Very probably many of them were, for like their Spanish fellows, many had taken on the cloak of Christianity to save their lives, their business or their freedom, and at heart were faithful Jews. But the fact that all or very nearly all the relapsed Jews punished by the Inquisition of Peru were Portuguese, despite the fact that there were innumerable Spanish ex-Jews in the country, is suspicious, and it is not at all improbable that the Spanish merchants and others, jealous of the Portuguese, eliminated their rivals by the simple means of denouncing them to the Inquisition.

A rather remarkable *auto-da-fé* was celebrated in Lima on March 13, 1605, under the patronage of the Viceroy Gaspar de Zuñiga, Count of Monterey. An *auto* remarkable, not for the number of its victims—there were forty of these unfortunates—nor for the fact that three were burned, but for the fact that one self-confessed relapsed Jew was not only spared the flames but, in later life, became venerated by all

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good Catholics of Peru and was regarded almost as a saint.

In this particular *auto* the records were as follows:

Sentenced for blasphemy	2
Sentenced for bigamy	8
Sentenced for saying Mass when not a priest	1
Sentenced as reconciled Portuguese	18
Sentenced to be burned in effigy	8
Sentenced to be burned alive	3

The three victims of the flames were of course Portuguese: Gregorio Diaz, Diego Lopez de Vargas and Duarte Anrique. Of the reconciled Portuguese the history of only one is recorded. This was Antonio Correa, an itinerant peddler of trinkets and cheap gewgaws, who was accused of "following the laws of Moses," of "singing the psalms of David without the *Gloria Patri*," of "keeping holy the Saturday," of "declaring the Bible to be a romance," of "preaching the Hebraic faith," and of "eating wormy fish with oil and unleavened bread," all despite the fact that he had received Christian baptism. The peddler confessed to all the charges without being submitted to torture, but he was so repentent and contrite that he won the pity of the inquisitors who imposed a most lenient sentence. He was condemned to wear a *sambenito** for three years and during that period to hear High

* This garment, so called because it was an adaptation of the habit of the Order of San Benito (penitent monks) was a linen, or cotton, sleeveless gown of bright yellow. Its length varied according

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Mass in the Lima Cathedral every Sunday and Holy Day and to observe all Catholic rituals and devotions. But the poor chap was so reviled and abused by the rabble when he appeared in his *sambenito* that he sought refuge in the convent of La Merced where he found employment as a kitchen servant. Eventually he joined the order as a lay brother and became famed for his sanctity and died venerated by all. A quaint old volume, entitled *Dios prodigioso en el judio mas obstinado*, published in Lima in 1692, contains a full account of the life and miracles performed by the once relapsed Jewish peddler who became venerated and almost sainted as "El Venerable Antonio de San Pedro."

One would think that such a worthy outcome of leniency on the part of the Inquisitors would have resulted in their showing mercy to other relapsed Jews. Apparently, however, they felt that Antonio was an exceptional case, for the very year that he became a priest, on Sunday, July 10, 1608, to be exact, eighteen persons were sentenced at an *auto-da-fé* in Lima, and another Israelite, Juan Castillo, was duly burned at the stake for having declared that the law of Moses was true gospel.

to the penance imposed. Thus we read of *sambenitos* of half a yard, a yard or two yards in length. It was decorated with red crosses surrounded by flames, and when worn by an impenitent to be executed it also bore representations of demons, dragons and serpents.

In addition to the *sambenito*, the penitents were forced to wear the *coroza*, a conical hat, usually of paper, a yard in height decorated with crosses, and in the case of the condemned, with figures of demons as well. In the case of relapsed Jews a wooden collar or a heavy rope about the neck was also imposed.

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For the next seventeen years the Inquisition was forced to restrain its activities, for the new Viceroy, Diego Fernandez de Cordova, Marquis of Guadalcázar, frowned most severely at the methods of the Holy Office and public burnings. But the Church was powerful, and through fear of creating a public scandal between Church and State, he consented to an *auto* that was held on December 31, 1625. Twenty-four penitents were present, among them a number of relapsed Jewish Portuguese. Of these Diego de Aranda and Juan de Acuna y Noroña were burned alive. Garci Mendez de Dueñas, who had died in prison, was burned in effigy, and the body of the priest, Manuel Nuñez Almeyda, who had died during his hunger strike, was incinerated. But the *pièce de résistance* of this famous *auto* was the beautiful Inez de Castro, condemned to the stake on the charge of being a witch. She was solemnly accused of having twelve times escaped from prison and chains by occult powers. She was the first woman to be burned in Lima and the first witch condemned to that fate.

Among the many old documents still preserved in Lima is a contemporary account of this *auto-da-fé* which is of intense interest as showing what a highly spectacular and elaborate event it was. The translation of the description is as follows:

Saturday, fifteenth of November, there met together at ten of the morning the *Alguacil Mayor* [chief of police] Don Juan Arevalo de Espinosa, and his secretaries with the

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familiars and the ministers of the Holy Office, and mounted on horses and accompanied by trumpeters, drummers and clarions, they left the Inquisition and marched throughout the city announcing the coming *auto* to be held. In the Plaza Mayor had been made a great stage more than forty yards square, together with many other scaffolds capable of accommodating more than eight thousand people. The evening of the *auto*, the thirtieth of December, having met together in the Inquisition, all the clerics, the ministers and the officials of the Holy Office at four in the afternoon marched from the chapel in a procession, carrying the standards of the Chief of Police with two corps of communicants, the familiars, the commissaries and members of the nobility, in the midst being the Vicar General of Santo Domingo with a green cross of more than two yards wide and high, surrounded by twenty-four friars of the Dominican order swinging censors in their hands. Immediately after came the choir of the Cathedral singing the hymn, *Virilia regis*, and the psalm, *Deus laudem tuam*, until arriving at the scaffold, the green cross was placed upon the altar provided, and surrounded by lighted candles it was watched throughout that night by many priests and religious persons with four gentlemen selected by the Holy Tribunal as governors who enforced their orders with black batons. That night the prelates of the orders were notified to be in readiness to appear with their followers and penitents between eight and nine the next morning, with the crosses of their parishes covered with black veils to signify they were among those excommunicated, and accompanied by four curates and the clerics singing the *Miserere mei* in sad tones. Each penitent was between two familiars and other persons of honor. Following this procession, the Chief of Police and the Secret Secretaries bore the silver chests containing the sentences of the condemned. At the scaffold they stood waiting in ranks, according to their sta-

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tions, until the Viceroy issued from his palace accompanied by a corps of *grandees* and *arquebusiers* led by their captain, and with two trumpeters. Following came the prominent citizens and gentlemen of the municipality, followed by the Prior and Consuls of the Royal University and the Colleges of San Marcos and San Martin, these being mounted on fine horses with their maces of office on their arms, followed by the professors and doctors with caps and gowns.* Following these two groups representing the secular and ecclesiastical arms, and between two mace-bearers, came the executioner in black clothes and carrying a black pole after whom, two by two, came various secretaries, clergymen, confessors, followed by the King's standard and guards with insignia, the Captain of the Guard and the police of the court, and, two by two, the Judges and the Mayors with the oldest Chamberlain beside the Viceroy at whose shoulder was the Captain-General of the cavalry followed by the chief groom, the pages and a company of lancers. In this order they would march to the Holy Inquisition at whose doors the Royal Audience entered the first patio and the Viceroy proceeded to the second, wherein he found the inquisitors with hats over their hoods, that were insignia of their sanctity and with the fiscal upon horseback. Having exchanged courtesies, all remained standing until the oldest inquisitor said "Now is the time to begin to march," and so all left, following the same order in which they came, until they reached the Great Plaza where were the many military companies of the city who saluted and lowered their flags before the standard of the Faith as the *auto-da-fé* was celebrated and the sentences of the condemned were read, and they were absolved by the

* In Peru it was considered a great honor to be employed as a familiar, an *alguacil* or in any other capacity by the Inquisition, and among the members of the nobility and aristocracy there was keen competition for such positions.

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inquisitor or were reconciled with penances or were delivered to the secular arm to be given over to the flames. The relapsed were given their punishment by the Chief of Police of the city and his ministers, when authorized by the Viceroy who had more authority in this matter than the Holy Office. At the end of all the procession went again to the Holy Inquisition in the same order, where they were dispersed.

For this *auto* the municipality gave aid to the Tribunal of the Inquisition in furnishing the scaffolds six hundred pieces of eight which were withdrawn from the taxes to be applied on public works in conformity with the government provision therefor, and also was given free the silver necessary to pay for the stakes and the ropes and the firewood for executing those delivered to the secular authorities, who are obliged to defray all expenses of such executions. Also, the municipality gave the sum of two hundred pieces of eight for the food furnished on the day of the *auto* to be eaten by the mayors and city officials who assisted.

And—the old chronicler might well have added—thus ended a perfect day.

Very possibly one reason why public *autos-da-fé* were not more frequently celebrated in Peru was because they were decidedly costly affairs. The eight hundred and more pieces of eight (approximately \$800) supplied by the city fathers to help pay expenses on that last day of 1625 was only a very small portion of the total cost of the celebration, yet in those days in Peru eight hundred pieces of eight was a small fortune. Some idea of what the Inquisition and the *autos* actually cost Peru may be obtained by the following records of the per-

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sonnel and expenses, the original documents being still preserved in Lima.

Here is the list of the members that comprised the Holy Office in its last years.

Inquisitors	3
Fiscal	1
Chief of Police	1
Secret secretary	1
Secretary of confiscations	1
Receiver general	1
Lawyer of finance	1
Procurator	1
Cashier	1
Consultors (solicitors)	7
Secular lawyers	3
Clerks	37
Prisoners' lawyers	2
Doctor	1

The cost of these and of other assistants employed, with the exceptions of the councilors and clerks, was not less than 21,000 pieces of eight. Considered as minor employees were:

Alcalaide	1
Crier	1
Porter	1
Dispenser	1
Barber	1
Solicitor	1
Cooks	2
Alcalaide's clerks	4
Blacksmith	1
Police	12

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The annual expenses of the Holy Office for the year of 1797 was 32,817 pieces of eight, mostly supplied by funds collected by obligation in the cathedrals of Lima, Quito, Trujillo, Arequipa, Cuzco, La Paz, Santiago de Chile and Chuquisaca.

In addition to this huge sum were the expenses incurred by the viceregal party, the municipality's part in the celebration, and the monetary aid rendered by the municipality towards defraying the erection of the scaffolds, the food for the mayors and others, and for the executions.

Very frequently, however, one or more of the condemned possessed cash, property or chattels that were confiscated by the Inquisition, and which went far towards defraying the expenses of the *autos-da-fé* and the Holy Office.

Also, it must be remembered, only a portion of all the *autos* that were held were public. More were celebrated in the seclusion of the churches or the Inquisition building than in the public plaza, and it was only when there was some excuse for a spectacular exhibition or when there were victims to be delivered to the secular authorities to be burned, that the public celebration was held.

For fourteen years after the *auto* described above no other took place publicly in Lima, although during the interim three private *autos* were held in the Inquisition building and at these twenty-four persons were sentenced to imprisonment, scourgings, banishment, etc.

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But when finally a public *auto* was ordered for Sunday, January 23, 1639, it was announced as the most solemn celebration yet held in Peru. This alone would have aroused the greatest interest and would have assured a "full house," but in addition it was hinted that at this great *auto*, at which over one hundred prisoners would be sentenced, the public would learn the reasons for the inexplicable events of three years earlier. On the night of August 11, 1635, the city of Lima had been thrown into an uproar. Everywhere throughout the city groups of the Inquisition's police—distinguished by their green caps * went from house to house, arresting persons by scores, searching apartments and furniture, interrogating every one they met and arresting more than one hundred persons, mainly the most respected, prosperous and well-to-do merchants and citizens. No one knew the reason, no one knew the charges brought against their friends and members of their families. No one dared ask, and no one was permitted to see or to converse with the prisoners. And now, three years later, they were to learn what it was all about and what fates were in store for the unfortunates.

Many persons must have breathed a heartfelt prayer of relief when, amid the cavalcade of priests, nobility, city officials and the troops and household

* The inquisitors and all employees of the Inquisition wore blue sashes over their habits or garments as insignia of their office. Members of the inquisitorial police also wore green hats.

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of the Viceroy, they saw eighty of the prisoners mounted on white horses and carrying palm leaves—symbols of their innocence. But there were others whose hearts sank when they saw sixty-eight others who had been found guilty and were about to be sentenced. Fifty of these were “reconciled” and condemned to do penance by wearing the *sambenitos* in public; six women were condemned to publicly scourged and exiled on the charges of witchcraft, and then the wealthy merchants, the prominent citizens who for three long years had been kept in dungeons without a word of explanation, were brought forward.

In a hushed and solemn silence the names of these were read, together with the charges brought against them: Manuel Bautista Perez, prominent merchant, worth half a million pieces of eight, owner of the magnificent mansion known as Pilatos, and of a home in the Plaza San Marcelo, was accused of being a relapsed Jew, the master of a masonic lodge and a teacher of Judaism.*

Antonio Vega, Antonio Espinosa, Juan Rodriguez Silva, Diego Lopez de Fonseca, all rich merchants, were charged with “having secreted under their

* The house within which Manuel Bautista Perez and his ten fellow Jews were arrested by the inquisitorial police is still standing in Lima on the Calle de Milagro fronting the Chapel of Miracles of San Francisco Church. It was long known as the “House of Pilate” owing to the fact that the condemned Perez declared the Catholics of Peru were all Pontius Pilates. The house also is famous historically as it was within it that the first Masonic Lodge in America was inaugurated, the Liberator, San Martin, becoming its Grand Master.

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stores crucifixes so that parishioners must tread above them'' and ''selling goods at infamous prices to Christians.''

Juan Acevedo, Luis de Lima, Rodrigo Vaez Pereyra, Sebastian Duarte, Tomas Cuaresna were all charged with secretly observing the laws of Moses. The noted surgeon and scientist, Francisco Maldonado, and Manuel Paz, who had died in prison, were charged with being relapsed Jews.

All, the inquisitor announced, had been found guilty as charged, and all were delivered to the secular authorities to be forthwith burned, together with the bones of poor Manuel Paz.

The crowd, totaling thousands, and accustomed to the spectacle of human beings burned at the stake, gasped as this wholesale sentence was pronounced, and a groan went up as the preparations were made for the eleven burnings. It was almost too much even for the half-savage hordes of Negroes, mulattoes and mestizos, and many slunk away, filled with righteous horror of the Inquisition for the first time. Not until half past three in the afternoon were the eleven stakes erected, with the faggots piled high about them. And so intent upon the proceedings had every one been that no one had noticed that the sky had become overcast, that dark angry clouds were scudding overhead, until, at the moment when the eleven men had been chained to the stakes and the fires had been lit and the red tongues of flame shot up about the quivering bodies of the condemned,

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a hurricane swept down upon the city. Shrieking across the plaza, the gale ripped palms and trees from the earth and hurled them about like twigs; in a moment the great cloth awning stretched above the seats of the Viceroy and the members of the Inquisition was torn to shreds and whisked away; boards were torn from the scaffolds and went sailing through the air; the royal standards were whipped into tatters, and the cross erected above the temporary altar fell crashing among the snuffed-out candles. Fanned by the terrific gale, such as never before had been known in Lima, the flames of the pyres roared high, and the cowering monks and priests, the terrified officials scurrying for cover and the horror-stricken populace heard a triumphant, exulting voice rising high and clear above the crackling of the flames, the shrieks of agony of the roasting men, the howl of the hurricane. It was the voice of the surgeon-scientist, Francisco Maldonado, who, as the fire lapped his breast and black smoke rose from his charring limbs, lifted his eyes to Heaven and with his dying breath cried: "Thus does the God of Israel reveal Himself to me from Heaven!"

For a time the unprecedented hurricane that had burst upon Lima at the moment of executing the unfortunate Hebrews filled the superstitious people with awe. Many felt that it was a visual manifestation of God's displeasure, but the priests—and many others—explained it in a very different way. In-

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stead of God it was the devil who had caused the gale, they declared. The condemned, beyond doubt, had made pacts with the Evil One, and he had swept down upon them in the hurricane to secure their souls as they left their burning bodies. It only proved, they argued, that the condemnation had been just and that all relapsed Jews, all heretics, all masons and all witches should be most severely dealt with. In fact, poor Maldonado's dying words made the lot of other Portuguese far harder. He had obviously died a true Israelite, and hence, claimed the authorities, it proved that Judaism was rampant among the supposedly Christian Portuguese. As a result, the prosecution of the Portuguese became a persecution, although never again was there such a wholesale burning in Peru. In fact, the authorities evidently had discovered that by burning wealthy Portuguese merchants they were killing the geese that laid the golden eggs, and that penances of less severity that brought wealth to the coffers of the Inquisition and the Viceroy were just as efficacious and more desirable than to see human bodies go up in smoke. At a private *auto*, held on November 17, 1641, fourteen Portuguese were found guilty of relapses to Judaism and yet not one was sentenced to death, and only three of the lot were condemned to flogging, the others merely being fined.

But as is so often the case, the Viceroy, Pedro Toledo y Leyva, and his friends of the Inquisition,

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rather overdid things. Peru was full of well-to-do Portuguese; to hale them, few at a time before the inquisitors, to try them and sentence them, was slow work. So an order was obtained to deport all the Portuguese. More than six thousand appealed to the Viceroy and offered to donate the sum of two hundred thousand ducats (about half a million dollars) if he would have the mandate revoked. Needless to say this was done and though it proved a profitable business venture it was a most disastrous political deal. Word of the affair reached Spain, and despite the Viceroy's protest that he had acted at the behest of the Inquisition, and that most of the money had gone to the Holy Office—which may or may not have been true—he promptly lost his job and was succeeded by the Count of Santistevan whose arrival at Lima, on January 28, 1664, was duly celebrated by the burning of another unfortunate Portuguese, Manuel Enrique, and the cremation of an image of Mencia Luna who had died under tortures after being charged with witchcraft.

Then, for twenty-nine years, Peru was without an *auto-da-fé*, and when the next was held on March 16, 1693, not a single sentence of death was imposed. Neither were there any burnings when, a year later, on December 20, 1694, another *auto* was celebrated—quite a famous affair, for it was at this that Anjela Carranza, an unfortunate, deluded and probably deranged girl who, like Joan de Arc, claimed to be

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inspired and to have conversed with Christ and the saints, was sentenced to imprisonment.

In fact, these spectacles appear to have gone rather out of fashion in Peru, and it was not until forty-two years later, on December 21, 1736, or seventy-three years after the last burning, that another victim of the Inquisition was condemned to the stake in Peru. In all the history of the Inquisition in America this was probably the most unwarranted, the most inexcusable and the most inhuman and dastardly crime of the Holy Office. Perhaps it was for these reasons, which aroused public protest and defamation of the inquisitorial methods, or perhaps it was because the inquisitors themselves were becoming more humane and enlightened, but whatever the cause, the loss of prestige and power of the Inquisition in Peru dates from this famous *auto*, and from this time on there was never another inquisitorial execution in Lima. Possibly, if the unfortunate victim of the Inquisition's avariciousness and duplicity could have foreseen the results produced by her agonizing death, she might have felt she had not died in vain, but as it was she never dreamed that she would be the last victim to be sacrificed at the stake. No doubt, in many if not the majority of cases, the inquisitors actually believed in the guilt of their victims and—regardless of how warped and mistaken may have been their minds—they felt that they were in the right. But in the case of Doña Ana de Castro they were actuated

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entirely by selfish and ulterior motives. They trumped up ridiculous charges, they had no intention of playing fairly, and although in the beginning they may have been misled by information given them through motives of revenge, the denouncer and his accomplices later confessed to the falseness of their charges upon which the entire prosecution was based. Yet despite this, as soon as it was known that the accused possessed considerable property, her inhuman judges, knowing she was friendless and at their mercy, condemned her to death. Probably the most serious charge that could have been brought against Maria Francisca Ana de Castro was that she was a courtesan. A native of Toledo, Spain, and forty-nine years of age at the time of her trial and death, "La Bella Española," as she was popularly called, had been the mistress of a viceroy and had bestowed her favors upon more than one of the wealthiest and most prominent nobles of Peru.

But she had enemies as well as lovers, or rather because of them. She had spurned the advances of many an admirer, and one of these rejected ones planned a terrible revenge. From the mistress he turned to her maid, and having completely seduced and won over La Bella Española's servant he induced the girl to place a crucifix under the mattress of Maria's bed.

This being accomplished, he forthwith presented himself before the inquisitors, and after beseeching

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forgiveness for having consorted with a heretic, he declared he had been one of Maria's sweethearts until, unexpectedly entering her apartment, he had been horrified to see her flogging the image of Christ. That was enough. At midnight agents of the Inquisition forced their way into the bedroom of the accused woman, placed her under arrest, and in their search of the apartment came upon the hidden crucifix.

In vain poor Maria declared her ignorance of its presence, in vain she denied all the charges brought against her. She was accused of being a heretic, a relapsed Jewess, a witch, a woman of bad reputation, an impenitent, a denier of the Faith and a number of other things, any one of which would have sealed her fate. She was put to the torture three times, was flogged and racked, subjected to the *garrucha* until disfigured and crippled, without wringing a confession from her. Despite the fact that her betrayer and his accomplice retracted their charges and admitted La Bella Española had been "framed" as we would put it to-day, she was found guilty and was sentenced to wear the *sambenito*, to march through the city with a rope about her neck carrying a green cross in her hand, and to be publicly flogged. Then, discovering that the tortured and crippled woman possessed a large amount of property and valuables, the Inquisitor-General delivered her to the secular authorities to be burned. The document by which she was formally relaxed

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—and thereby necessarily condemned to death—is still preserved and reads as follows:

Christo nomine invocado. Sentence in accordance with the authority. The merits of the case having been well proved and completed we give to the fiscal authorities our finding. We pronounce clearly proven the charges brought against her and in consequence we declare and it is hereby declared that Maria Francisca Ana de Castro has been and is a heretic, a relapsed Jewess, a woman of evil arts and a relapsed impenitent. Therefore she has been sentenced to perpetual excommunication and the loss of all her property which is to be confiscated and divided between our office and His Majesty, to be received by you in his name. . . . The declarations of the accused we reserve. And we deliver and release the person of said Maria Francisca Ana de Castro to the justice of the secular arm, praying that in your power of mercy greater than ours to bestow you may be benign and may pity her. And it is decreed by us that the sons and daughters, the grandchildren and all of her descendents of the male line, if any, are incapacitated and forbidden to hold positions of dignity or honor or to serve as ecclesiastics or to hold public office. Neither can they use upon their persons or hold gold, silver, pearls, jewels, nor coral, nor silk, camelot, fine cloth, nor travel on horseback, nor carry arms nor use other things that by law and decrees of the monarchs and the Holy Office are forbidden to those inhibited. And by this sentence we pronounce final judgment and so order obedience.

The value of the goods confiscated, including suburban property, amounted to more than twenty-five thousand pieces of eight.

As the unfortunate woman was being led to the

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place of execution, and passed the Desemperados Church, she expressed her repentance for any sins she might have committed and begged that she might be absolved and given the last sacrament. But her inhuman judges declared it too late to repent and refused her request, which in the darkest days of the medieval Inquisition had invariably been granted to penitents even at the eleventh hour. Crippled by the terrible tortures she had endured, the wreck of the once famously beautiful woman was carried rather than led to the Plazuela de Otero where, at four o'clock in the afternoon, the horrible tragedy was consummated. Perhaps in view of her racked and disfigured body her end was merciful rather than otherwise and the short agony of the flames may have been less than she would have suffered as a helpless cripple had she been allowed to live.

It is some satisfaction to know that eventually her friends and family secured justice. La Bella Española was publicly and officially exonerated of all her alleged crimes, the value of her property that had been confiscated was ordered restored to her family, all the prohibitions were revoked, the Holy Tribunal was forced publicly to express regret and compassion for Maria and to acknowledge the wrongs they had done.

And La Bella Española came to be regarded as a martyr for, as I have already said, her death marked the beginning of the end for the Inquisition in Peru. The obvious travesty on justice that had

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marked her trial and her death was too much even for the Peruvians, long accustomed to burnings and tortures as they were, and never thereafter was a human being burned at the stake in Lima. To be sure, there were subsequent *autos-da-fé*, both public and private. One held in the Inquisition building on October 19, 1749, was rather famous for the absolving of Juan de Loyola by proxy, probably the only case of its kind on record. The accused had died in prison, but having been adjudged innocent, his statue was produced and duly absolved.

In 1760, 1761, and 1764, *autos* were also held at which various persons were penanced, mainly on charges of sorcery or witchcraft, the punishments consisting of flogging and exile for various terms. On February 18, 1800, two individuals were punished for having said Mass without being ordained. On August 27, 1803, a woman, Rivero, and a nun, Madre San Diego, were punished on charges of witchcraft. On September 10, 1805, the Inquisition could produce but one victim, who was penanced for blasphemy, and a year later, on July 17, 1806, at the last *auto-da-fé* held in Peru, a single individual was brought forth and was given a mild punishment for sacrilege.

With the scandal arising from Toledo's acceptance of the two hundred thousand ducats' bribe from the Portuguese in consideration of the revocation of orders for their deportation, the Inquisition's persecution of the Portuguese had fallen off abruptly. So,

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from hunting alleged relapsed Jews, the inquisitors turned to the good old game of witch-hunting. In nearly if not all the subsequent *autos* the majority of those sentenced were charged with sorcery, making of charms, witchcraft or even more trivial crimes. Apparently the Inquisition was hard put to it to find flagrant sinners, but amid a population of tens of thousands of Negro and mulatto slaves—many of whom were but a few years or even a few weeks from African jungles—obeah men and women, wizards and witches, the makers of love potions and other charms, brewers of magic draughts, and and herb doctors were innumerable. And any person who held a grudge, who was jealous or who desired revenge upon another had only to denounce the object of his spleen to the Inquisition. Even disgruntled servants found the Holy Office a most convenient instrument for “getting even” with their employers, and any credulous Negro or mulatto who had purchased a love potion from a grizzled Negro “witch doctor” and found it impotent, could be quite sure of seeing the charlatan publicly flogged or worse by denouncing him.

In studying the innumerable records of prosecutions and sentences still preserved in Lima, one is almost as much amazed at the credulity of the priests and public as at the severe punishments imposed for alleged acts that would have been amusing had they not been so pathetic and tragic in results. Thus, Micaela Zavala, a young mulatto noted for

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her beauty, was tried under torture on the charge of being in league with the devil and was adjudged guilty, the inquisitors declaring that they had found it impossible to resist her charms, which proved beyond question that she possessed supernatural power. She was accordingly sentenced to exile for ten years in Pisco.

Juan Gonzalez de Rivera, a half-breed, was accused of making a pact with Satan and with having lived among infidel Indians, wearing the costume of the savages and using bow and arrows. It was also charged that when with the tribe—of which his mother had been a member—he had married three pagan women who had not been baptized. To the latter charges he confessed when given a taste of the wheel, but even the torture of fire on his feet failed to evoke a confession of the alleged deal with Satan. He was therefore adjudged not guilty of that charge, and as he vehemently declared repentance for his relapse to tribal customs, he was let off with a sentence of three years at breaking rock on San Lorenzo Island.

Don Francisco Javier de Neira, a priest of Santiago, Chile, sixty years of age, was accused of having celebrated Mass twice in one day and was condemned to pass a year in utter silence and in fasting in San Pedro convent.

Pedro Nuñez de la Haba was more fortunate. The young chap—he was twenty years of age—was accused of being a protector of heretics and relapsed

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Jews. But before brought to trial he managed to escape from the Inquisition and flee the country. Nevertheless, he was found guilty and—represented by an image—was duly sentenced to two hundred lashes, to be delivered when he could be apprehended, and to five years' imprisonment in the jail at Chagres.

Matias de Aybar, a muleteer, was charged with having been bigamously married to five women and of having offered to sell his soul to the devil—probably in consideration of the Evil One helping him solve his matrimonial troubles. It was clearly proved that the devil had not responded and had not—as the quaint old records put it, “given him one bad *real* in exchange for his eight.” But he admitted the five wives and was sentenced to receive a “comfortable” flogging (whatever that might be) and to ten years' imprisonment in Valdivia.

Anjelade Olivitos y Esquivel, a seamstress, was accused of alleging that she received revelations from the seraphims while living in a brothel. She was sentenced to five years' exile.

Juan de la Rosa Urquizu, a young mulatto tailor, was accused of blasphemy for having declared that Adam suffered from indigestion after eating the apple in Eden, and also of being too loquacious at his work. He was sentenced to serve two years in a hospital and to receive one hundred lashes.

Maria Rosa de Masa, known as Maria Manteca, a half-breed girl of nineteen, had humorously de-

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clared that a woman should be permitted to change husbands every two years. For this she was sentenced to six years' exile.

Francisca Andrea de Benavidez, a sixty-year-old mulattress, was accused of having told the fortunes of various women by means of tea leaves. As the women admitted the prophecies had come true the old fortune-teller was declared in league with Satan and was sentenced to receive two hundred lashes and to be forever exiled to Valdivia.

Ines de la Peñalillo, a white woman and proprietress of a sweet shop, had amassed a comfortable fortune by her skill as a pastry cook. Servants whom she suspected of theft were discharged, and denounced her to the Inquisition as a witch, alleging that she added bits of corpses to her puddings and cakes, these charms forcing the public to patronize her. She was adjudged guilty and sentenced to parade in public naked to the waist, to be exiled to Valdivia (here the inquisitors injected a touch of humor by suggesting she might try her culinary arts on the Chileans if she chose) and to have all her property confiscated.

Juan Alejo Romero, a half-breed, eighty years of age, was accused of having visited a ravine where witches foregathered, of having dealt with the demons of "cold and heat"—whoever they might be—of having placed a crucifix face down with money on the four points of the cross, and of having made and sold love potions. In other words, old

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Romero was an obeah man or "witch doctor." He was sentenced to wear a *sambenito*, to pass the rest of his life in the Jesuits' prison and to have his body completely incinerated at death.

Melchor de Aranivar, a nineteen-year-old half-breed, was obviously a worthy rival of Houdini. It was declared that no ropes nor irons could hold him and that he could open locked doors, and he was accused of having received this power from the devil who appeared to him in the form of an aged Indian. He was sentenced to have his bones broken and to be imprisoned for four years.

José Nicholas Michel, a professor of grammar, was accused of hypocrisy, boasting, superstition, and of having celebrated forty Masses though not an ordained priest. He was also charged with possessing a charm by which he could change white persons to Negroes, and of intending to commit suicide. He was sentenced to receive two hundred lashes and to serve seven years in prison.

Maria Atanasia, a black slave only recently from Africa, was accused of bigamy. She was condemned to receive two hundred lashes, because—so the inquisitors put it—this would not be anything new or serious to her, and to be exiled from Lima for five years.

Manuel de Jesus Saboya, a sixty-year-old African, and a slave employed on the Jesuits' hacienda of San Juan, was accused of compacting love potions and was sentenced to six years in a dungeon.

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For compounding “mysterious waters” and employing “sinful arts” Juana Caldera, mulattress, was sentenced to four years in prison.

Feliciano Cañales, known as Ayanque, a seventy-six-year-old mulatto, was twice brought before the Inquisition on charges that he was reputed to be a master of black art and was a vendor of charms. Both times he was put to the most severe tortures, and the sentence pronounced was that he was to be imprisoned for ten years, but relieved of the penalty of flogging “in view of what he had suffered from torture and because of his advanced age.” Truly the inquisitors were magnanimous for once!

Sometimes, too, there was a bit of justice in the sentences dealt out so freely by the Inquisition. This was the case with the mule driver, José Calvo, otherwise known as Chico, a brutal Negro charged with being a devil worshiper, the Evil One being represented by a bottle of magic liquid. For this he was sentenced to ten years at breaking stone on San Lorenzo and—as the old sentence continues—“as at one time he had cruelly beaten his mules” he was to be given two hundred lashes “that he might learn what it meant!”

Diego Pacheco, a professor of music in the convent of San Francisco de Characas, charged with celebrating Mass although not a priest, was sentenced to life imprisonment on the island of Juan Fernandez.

José Cegarra was charged with having assumed

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the name of Fray Ponce de Leon of the Order of San Augustin and of celebrating Mass. In the trial it developed that Cegarra could neither read nor write, yet he actually had said Mass in the church of Abancay, and when asked by the sacristan if he did not require assistance, he had replied: "Fool! you do not understand the least of this Mass. This that I am saying is the Mass Chamberi—the latest thing in Lima!" He was sentenced to receive two hundred and fifty lashes and to be imprisoned in Valdivia for one year.

Padre José Medina, accused of saying Mass twice on one day and of making improper proposals to women of his congregation, was very justly sentenced to eight years' imprisonment in Huacho. Apparently the offending curate was cured, for at the conclusion of his sentence he made a pilgrimage to Lima, became most repentant, performed many worthy acts and penances and died a most honored and respected man, and the curate of Huacho.

These are but a few cases selected at random. There were scores convicted of bigamy and sentenced to receive from one to two hundred lashes and to from three to ten years' exile, and there were numbers exiled, imprisoned or otherwise penanced for possessing forbidden books or pamphlets.

In fact, by the beginning of the nineteenth century, practically all the charges brought were on such grounds. Protestantism was recognized, there were few other heretics, relapsed Jews were no longer

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prosecuted, and witchcraft, sorcery and such nonsense had been relegated to the limbo of other superstitions.

When, on September 23, 1813, the Viceroy, Abascal made public the decree issued by the Spanish *cortes*, seven months earlier, by which the Inquisition was officially abolished, great was the excitement and the rejoicing in Lima. For nearly three centuries the country had been in fear and terror of the Holy Office and now the incubus had been lifted from the shoulders of the people. In a seething, shouting, riotous mob they rushed *en masse* to the Inquisition building where a number of prisoners were still confined. No doubt it would have gone hard with the inquisitors and their familiars had the mob come upon them in its excited state. But aside from the prisoners, who were quickly freed, the place was empty, the occupants having wisely fled by means of underground passages leading to exits in various churches. But the public found plenty of other things, and as the report of the Chief of Police is still preserved, there can be no question as to what was found. In the main office—now known as the *sala* and used as the Senate Chamber—was a huge hanging of green velvet back of which was a hidden seat for a man who, by means of cords, could move the head of the life-sized statue of Christ placed between two green candles upon a table in front of the curtain. Before this was a secret trapdoor opening into the torture

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chamber below, and at one side was a carved door with a small hidden peephole in its upper portion. In the torture room were the rack, the wheel, the diabolical extension table, the braziers, the thumb-screws, the appliances for the *garrucha*, and various other instruments for wringing secrets and confessions from prisoners. In the library were numbers of volumes, including copies of all the prohibited works, and in strong boxes was money to the amount of over seventy thousand pieces of eight.

Despite the efforts of the civil authorities, the public played havoc with the contents of the building, destroying everything they could lay hands on, especially the secret documents, the archives and the lists of prisoners and sentences, and the great wonder is that so much was saved and has been preserved.

To be sure, on the day following the sacking of the Inquisition, the Archbishop announced that all who did not at once return any papers or other property of the Inquisition would be excommunicated. But the people were in no mood to bother over such trifles now that the Holy Office was a thing of the past, and little if any of the loot was delivered to the Church until many years later. The seventy thousand pieces of eight were confiscated by the State, it having been clearly proved that the fleeing inquisitors had made off with the greater portion of their valuables.

As I have mentioned elsewhere, one of the first

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acts of King Ferdinand of Spain, after he ascended the throne, was to reëstablish the Inquisition. But the effort was a complete failure. The days of such archaic methods had passed, and in America, where the Spanish colonies were struggling to throw off the yoke of Spain and detested everything Spanish, the Inquisition had no chance. Only once more did the sorry imitation of the once powerful and dreaded Inquisition strive to assert itself in Peru. A school-master named Valdelomar, who resided in Chorillos, was accused of celebrating Mass illegally. A few years earlier he would have been flogged to within an inch of his life and banished or imprisoned for years. But the dying Inquisition merely "requested" him to pass through the streets wearing a *sambenito*, after which he was set at liberty!

Little of the contents of the Inquisition building that were found on that noteworthy September day in 1813 now remain. The building has been rebuilt and only the dome, the patio and the office, or *sala*, and some of the windows, doors and furnishings remain as they were. In the reconstruction of the ancient edifice innumerable secret, underground passages, dungeons and cells were found. In some were skeletons of long-forgotten prisoners still chained to the walls. In others were rusty manacles, handcuffs and instruments of torture, while in one passage were the pictures with the names of all those who had been punished by the Inquisition—a sort of ecclesiastical rogues' gallery.

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When, in 1895, the building was remodeled for the Senate, the subterranean passages, the cubicle-like dungeons and the cells were walled up by masonry, thus forever hiding the memories of horror that they held. What instruments of torture and other relics that remained were sold as old junk, and in its mania for modernizing the old building the government ripped up and destroyed much of the interior woodwork and flooring. The wonderful carved cedar ceiling of the *sala* is still intact, together with the other woodwork of this famous room. In place of the green velvet arras and the altar there is a crimson canopy bearing the Peruvian coat of arms above a dais where the President sits when he presides over the Senate. In the reception hall one may still see the massive mahogany table about which the inquisitors sat and passed sentence upon the unfortunates brought before them, and opening into the *sala* is the heavy door with the secret peephole concealed in its elaborately carved surface.

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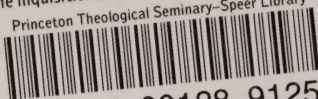
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